



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Great Plains Regional Office
115 Fourth Avenue S.E., Suite 400
Aberdeen, South Dakota 57401



IN REPLY REFER TO:
DESCRM
MC-208

MAR 02 2012

MEMORANDUM

TO: Superintendent, Fort Berthold Agency

FROM: ^{ACTING} Regional Director, Great Plains Region

SUBJECT: Environmental Assessment Addendum and Finding of No Significant Impact

In compliance with the regulations of the National Environmental Policy Act (NEPA) of 1969, as amended, an Addendum has been completed and a Finding of No Significant Impact (FONSI) has been issued. The Addendum authorizes land use for an additional well on five previously approved well pads and an access road modification located on the Fort Berthold Indian Reservation.

All the necessary requirements of the National Environmental Policy Act have been completed. Attached for your files is a copy of the EA Addendum, FONSI and Notice of Availability. The Council on Environmental Quality (CEQ) regulations require that there be a public notice of availability of the (40 C.F.R. Section 1506.6(b)) Please post the attached notice of availability at the Agency and Tribal buildings for 30 days.

If you have any questions, please call Marilyn Bercier, Regional Environmental Scientist, Division of Environment, Safety and Cultural Resources Management, at (605) 226-7656.

Attachment

cc: Tex Hall, Chairman, Three Affiliated Tribes (with attachment)
Elgin Crows Breast, Tribal Historic Preservation Officer (with attachment)
Derek Enderud, BLM, Dickinson, ND (with attachment)
Wade Epperson, SWCA (with attachment)
Eric Wortman, EPA (with attachment)
Jonathon Shelman, Corps of Engineers
Jeff Hunt, Fort Berthold Agency

Finding of No Significant Impact

Enerplus Resources

Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification

*Fort Berthold Indian Reservation
Dunn and McKenzie Counties, North Dakota*

The U.S. Bureau of Indian Affairs (BIA) has received a proposal to drill an additional exploratory oil well on five previously approved well pad locations on the Fort Berthold Reservation at the following locations:

- The Sage #149-93-26BH TF and Hidatsa Hills #26-21H well pad is located in the NE¼ NW¼ of Section 26, Township (T) 149 North (N), Range (R) 93 West (W), Dunn County, North Dakota
- The Gardens #149-94-13BH TF and Hudson #13-21H well pad is located in the NE¼ NW¼ Section 13, T149N, R94W, McKenzie County, North Dakota.
- The Mastiff #149-94-23BH TF and Hall #23-21H well pad is located in the NE¼ NW¼ Section 23, T149N, R94W, McKenzie County, North Dakota
- The Koala #152-94-16BH TF and Fool Bear #16-12H well pad is located in the NW¼ NW¼ Section 16, T152N, R94W, McKenzie County, North Dakota
- The Flyer #152-94-23DH TF and Fool Bear #23-34H well pad is located in the SE¼ SE¼ Section 23, T152N, R94W, McKenzie County, North Dakota

The previously approved Hall #23-21H well pad access road will also be modified to connect to the previously approved WPX Energy Williston, LLC (WPX) Mandaree Warrior #14-11H access road right-of-way (ROW). Associated federal actions by BIA include determinations of impacts and effects regarding environmental resources for developments on tribal lands.

The potential of the proposed actions to impact the human environment is analyzed in the attached addendum to an existing EA, as required by the National Environmental Policy Act. Based on the recently completed addendum to the EA, I have determined that the proposed project will not significantly affect the quality of the human environment. No Environmental Impact Statement is required for any portion of the proposed activities.

This determination is based on the following factors:

1. Agency and public involvement solicited for the preceding NEPA document was sufficient to ascertain potential environmental concerns associated with the currently proposed project.
2. Protective and prudent measures were designed to minimize impacts to air, water, soil, vegetation, wetlands, wildlife, public safety, water resources, and cultural resources. The remaining potential for impacts was disclosed for both the proposed actions and the No Action alternative.
3. Guidance from the U.S. Fish and Wildlife Service has been fully considered regarding wildlife impacts, particularly in regard to threatened or endangered species. This guidance includes the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d, 54 Stat. 250), Executive Order 13186 "Responsibilities of Federal Agencies to Protect Migratory Birds", and the Endangered Species Act (16 U.S.C. 1531 et seq.).
4. The proposed actions are designed to avoid adverse effects to historic, archaeological, cultural and traditional properties, sites and practices. Compliance with the procedures of the National Historic Preservation Act is complete.
5. Environmental justice was fully considered.

6. Cumulative effects to the environment are either mitigated or minimal.
7. No regulatory requirements have been waived or require compensatory mitigation measures.
8. The proposed projects will improve the socio-economic condition of the affected Indian community.



ACTING Regional Director

3-2-2012

Date



**ENVIRONMENTAL ASSESSMENT
Addendum**

United States Bureau of Indian Affairs

**Great Plains Regional Office
Aberdeen, South Dakota**



Enerplus Resources (USA) Corporation

**Addendum to Environmental Assessment to Authorize an Additional Well on Five
Previously Approved Well Pads and an Access Road Modification**

Fort Berthold Indian Reservation

February 2012

For information contact:
Bureau of Indian Affairs, Great Plains Regional Office
Division of Environment, Safety and Cultural Resources Management
115 4th Avenue SE, Aberdeen, South Dakota 57401
(605) 226-7656

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- C Plats, Drawings, and Diagrams for the Mastiff #149-94-23BH TF and Hall #23-21H Well Pad Location
- D Plats, Drawings, and Diagrams for the Koala #152-94-16BH TF and Fool Bear #16-12H Well Pad Location
- E Plats, Drawings, and Diagrams for the Flyer #152-94-23DH TF and Fool Bear #23-34H Well Pad Location

1. Purpose and Need for the Proposed Action

Enerplus Resources (USA) Corporation (Enerplus) is proposing to drill an additional exploratory oil well on five previously approved well pad locations on the Fort Berthold Indian Reservation to evaluate and possibly develop the commercial potential of natural resources. In addition, the previously approved Hall #23-21H well pad access road will be modified to connect to the previously approved WPX Energy Williston, LLC (WPX) Mandaree Warrior #14-11H access road right-of-way (ROW). Developments have been proposed on land held in trust by the United States in Dunn and McKenzie counties, North Dakota. The Bureau of Indian Affairs (BIA) is the surface management agency for potentially affected tribal lands and individual allotments. The BIA also holds title to subsurface mineral rights. The economic development of available resources and associated BIA actions are consistent with BIA's general mission. Leasing and development of mineral resources offers substantial economic benefits to the Three Affiliated Tribes of the Mandan, Hidatsa, and Arikara Nation and to individual tribal members.

The purpose of the proposed action is to authorize Enerplus to drill an additional well (Three Forks Formation) on the following five previously approved locations and to modify a previously approved access road:

- Sage #149-93-26BH TF and Hidatsa Hills #26-21H (Appendix A)
- Gardens #149-94-13BH TF and Hudson #13-21H (Appendix B)
- Mastiff #149-94-23BH TF and Hall #23-21H (Appendix C)
- Koala #152-94-16BH TF and Fool Bear #16-12H (Appendix D)
- Flyer #152-94-23DH TF and Fool Bear #23-34H (Appendix E)

2. Authorities

Oil and gas exploration and development activities are conducted under authority of the Indian Mineral Leasing Act of 1938 (25 United States Code [USC] 396a, et seq.), the Indian Mineral Development Act of 1982 (25 USC 2101, et seq.), and the Energy Policy Act of 2005 (42 USC 15801, et seq.).

3. Legal Land Description for Proposed Action

The previously approved well pads are located in Dunn and McKenzie counties, North Dakota.

- The Sage #149-93-26BH TF and Hidatsa Hills #26-21H well pad is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township (T) 149 North (N), Range (R) 93 West (W), Dunn County, North Dakota. The Sage #149-93-26BH TF will be drilled in a 640-acre spacing unit. The bottom hole will be located 550 feet from west line (FWL) and 250 feet from south line (FSL) in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, T149N, R93W, approximately 4,412 feet south-southwest of the surface location.

- The Gardens #149-94-13BH TF and Hudson #13-21H well pad is located in the NE¼ NW¼ Section 13, T149N, R94W, McKenzie County, North Dakota. The Gardens #149-94-13BH TF will be drilled in a 320-acre spacing unit. The bottom hole will be located 2,000 feet FWL and 250 feet FSL in the SE¼ SW¼ Section 13, T149N, R94W, approximately 4,685 feet south-southeast of the surface location.
- The Mastiff #149-94-23BH TF and Hall #23-21H well pad is located in the NE¼ NW¼ Section 23, T149N, R94W, McKenzie County, North Dakota. The Mastiff #149-94-23BH TF will be drilled in a 640-acre spacing unit. The bottom hole will be located 550 feet FWL and 250 feet FSL in the SW¼ SW¼ Section 23, T149N, R94W, approximately 4,800 feet south-southwest of the surface location. The approved access road will be modified. The approved ROW begins on the northwest corner of the well pad and will connect to the approved WPX Mandaree Warrior #14-11H access road in the SW¼ SW¼ Section 14, T149N, R94W. This access road will now only utilize the first 537.27 feet of the previously approved Hall #23-21H ROW.
- The Koala #152-94-16BH TF and Fool Bear #16-12H well pad is located in the NW¼ NW¼ Section 16, T152N, R94W, McKenzie County, North Dakota. The Koala #152-94-16BH TF will be drilled in a 320-acre spacing unit. The bottom hole will be located 250 feet from east line (FEL) and 550 feet from north line (FNL) in the NE¼ NE¼ Section 16, T152N, R94W, approximately 4,772 feet east-northeast of the surface location.
- The Flyer #152-94-23DH TF and Fool Bear #23-34H well pad is located in the SE¼ SE¼ Section 23, T152N, R94W, McKenzie County, North Dakota. The Flyer #152-94-23DH TF will be drilled in a 640-acre spacing unit. The bottom hole will be located 550 feet FEL and 250 feet FNL in the NE¼ NE¼ Section 23, T152N, R94W, approximately 4,798 feet north-northeast of the surface location.

4. Scope of Work for Proposed Action

Enerplus proposes to drill an additional well that will enter the Three Forks Formation on five previously approved well pads. In addition, the previously approved Hall #23-21H well pad access road will be modified to connect to the previously approved WPX Mandaree Warrior #14-11H access road ROW. There will be no additional surface disturbance to the well pad or access road.

5. Cultural Resources

A cultural resource inventory was conducted on the proposed locations by personnel of Beaver Creek Archeology. This inventory was conducted on June 7, 2010, and consisted of 20 acres around each well pad and a 100-foot corridor along the access roads (Jakel and Burns 2010a¹, 2010b², 2010c³, 2010d⁴, 2010e⁵). No historic properties were located within the project area that appear to possess the quality of integrity and meet at least one of the criteria (Title 36 Code of Federal Regulations [CFR] 60.6) for inclusion on the National Register. As the lead federal agency, and as provided for in 36 CFR 800.5, on the basis of the information provided, BIA reached a determination of no historic properties affected by the project and consulted with the Tribal Historic Preservation Office.

6. Applicable National Environmental Policy Act (NEPA) Document(s)

Finding of No Significant Impact: *Peak North Dakota, LLC: Drilling of Fool Bear #16-12H, Fool Bear #23-34H, Fox #21-21H, Hidatsa Hills #26-21H, Hudson #13-21H, Johnson #7-24H Exploratory Oil and Gas Wells* (March 2011).

Environmental Assessment: Five Bakken Exploratory Oil Wells: Dakota-3 Joseph Eagle#2-19H, Dakota-3 Sarah Smith #22-23H, Dakota-3 Fox #14-8H, Dakota-3 Gerald Hale #33-28H, and Dakota-3 Mandaree Warrior #14-11H (January 2011).

Addendum to the Environmental Assessment to Authorize Land Use for an Access Road Connecting the Mandaree Warrior #14-11H Well Pad to the Existing EOG Mandaree #4-15H Access Road (November 2011).

7. NEPA Adequacy Criteria

This document has identified the above-mentioned previously prepared NEPA documents, which adequately describe the environmental consequences of the newly proposed action described herein, and meet the following NEPA Adequacy Criteria.

1. The proposed action is substantially the same action and at the site specifically analyzed in the existing NEPA documents.
2. The range of alternatives is reasonable with respect to the current proposed action in the existing NEPA documents, which appropriately consider and analyze current environmental concerns, interests, and resource values.

¹ Jakel, G., and W. Burns. 2010a. *Fool Bear 16-12H Well Pad: A Class II Cultural Resource Inventory in McKenzie County, North Dakota*. Beaver Creek Archaeology, Inc. Mandan, North Dakota.

² Jakel, G., and W. Burns. 2010b. *Fool Bear 23-34H Well Pad and Access Road: A Class III Cultural Resource Inventory in McKenzie County, North Dakota*. Beaver Creek Archaeology, Inc. Mandan, North Dakota.

³ Jakel, G., and W. Burns. 2010c. *Hall 23-21H Well Pad and Access Road: A Class III Cultural Resource Inventory in McKenzie County, North Dakota*. Beaver Creek Archaeology, Inc. Mandan, North Dakota.

⁴ Jakel, G., and W. Burns. 2010d. *Hidatsa Hills 26-21H Well Pad: A Class III Cultural Resource Inventory in Dunn County, North Dakota*. Beaver Creek Archaeology, Inc. Mandan, North Dakota.

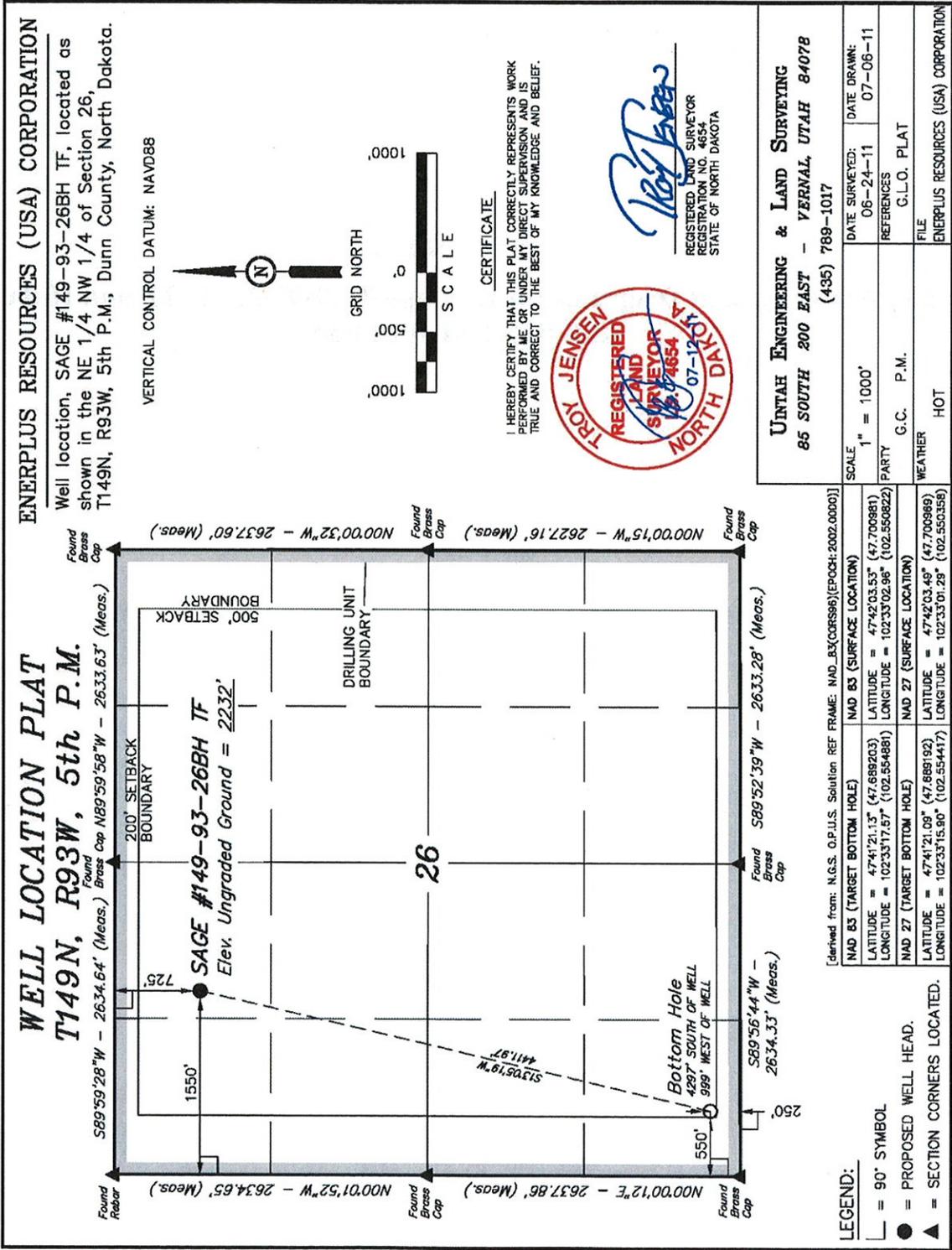
⁵ Jakel, G., and W. Burns. 2010e. *Hudson 13-21H Well Pad: A Class III Cultural Resource Inventory in McKenzie County, North Dakota*. Beaver Creek Archaeology, Inc. Mandan, North Dakota.

3. The existing analysis and conclusions are adequate in the existing NEPA documents. The analysis is still valid in light of new studies or resource assessment information.
4. The methodology and analytical approach used in the existing NEPA documents continues to be appropriate for the proposed action.
5. The direct and indirect impacts of the proposed action are unchanged from those identified in the existing NEPA documents.
6. The cumulative impacts that would result from implementation of the proposed action are unchanged from those analyzed in the existing NEPA documents.
7. A 30-day comment period involving public input and interagency review was used in the development of the existing NEPA documents.

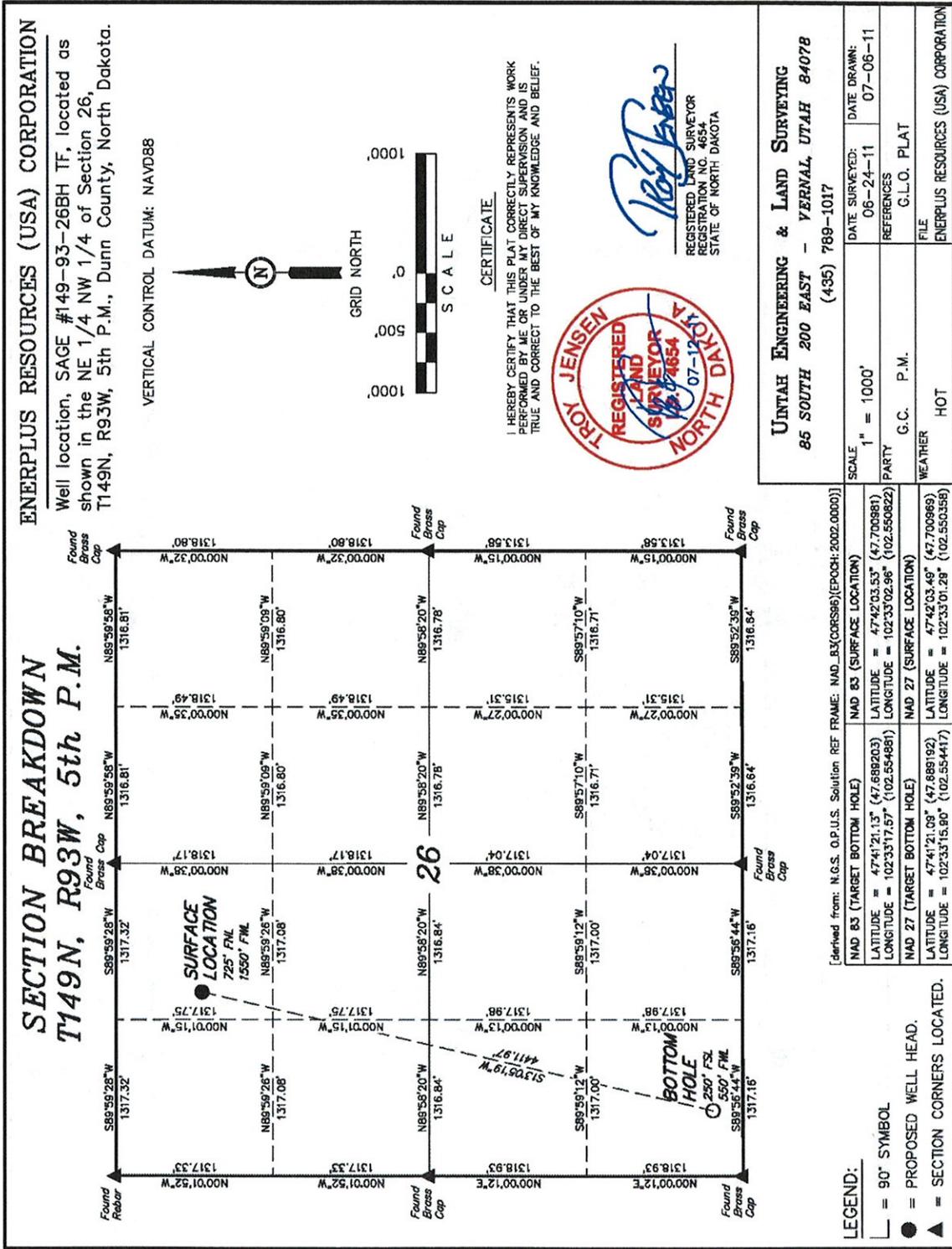
APPENDIX A

Plats, Drawings, and Diagrams for the Sage #149-93-26BH TF and Hidatsa Hills #26-21H Well Pad

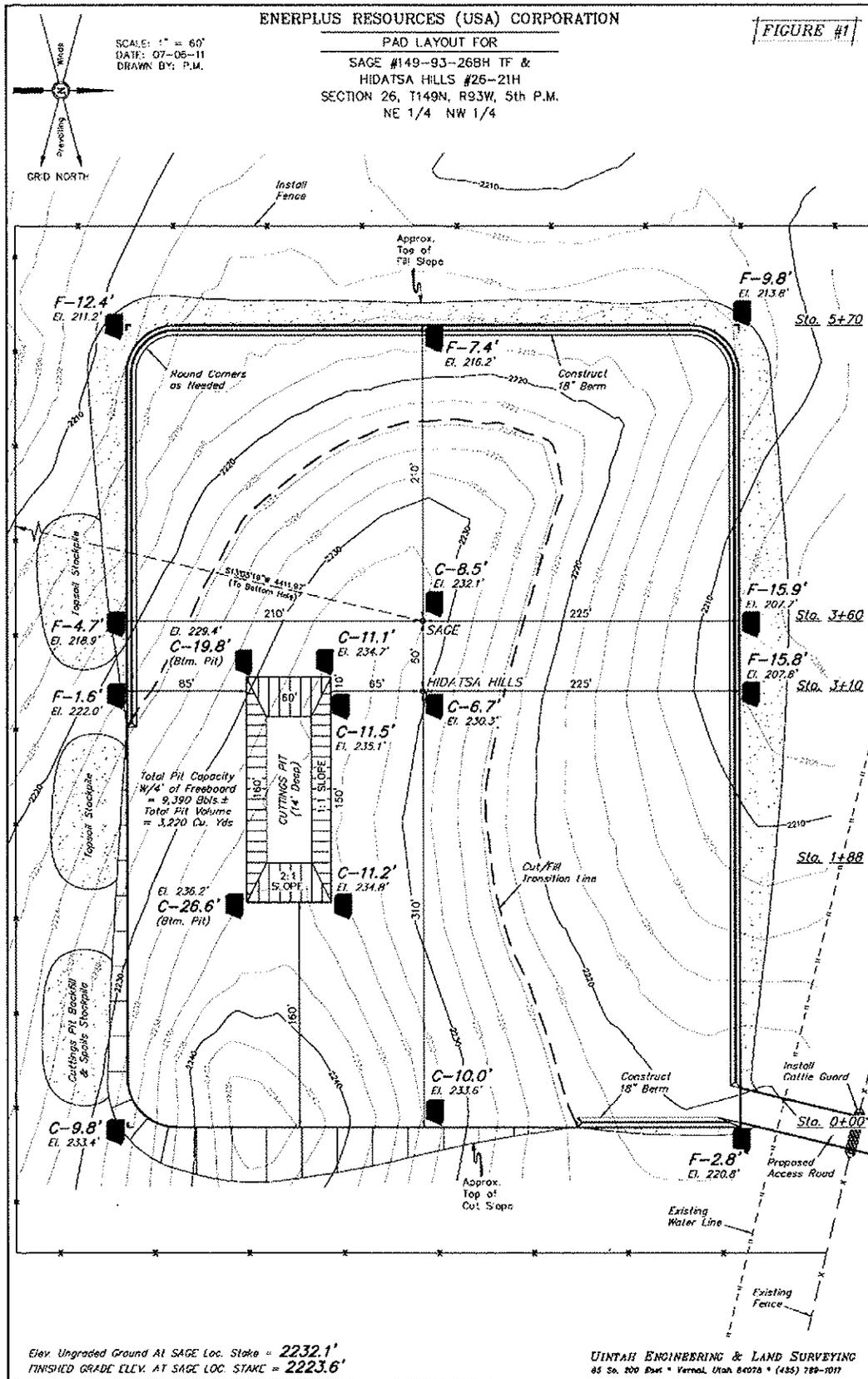
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



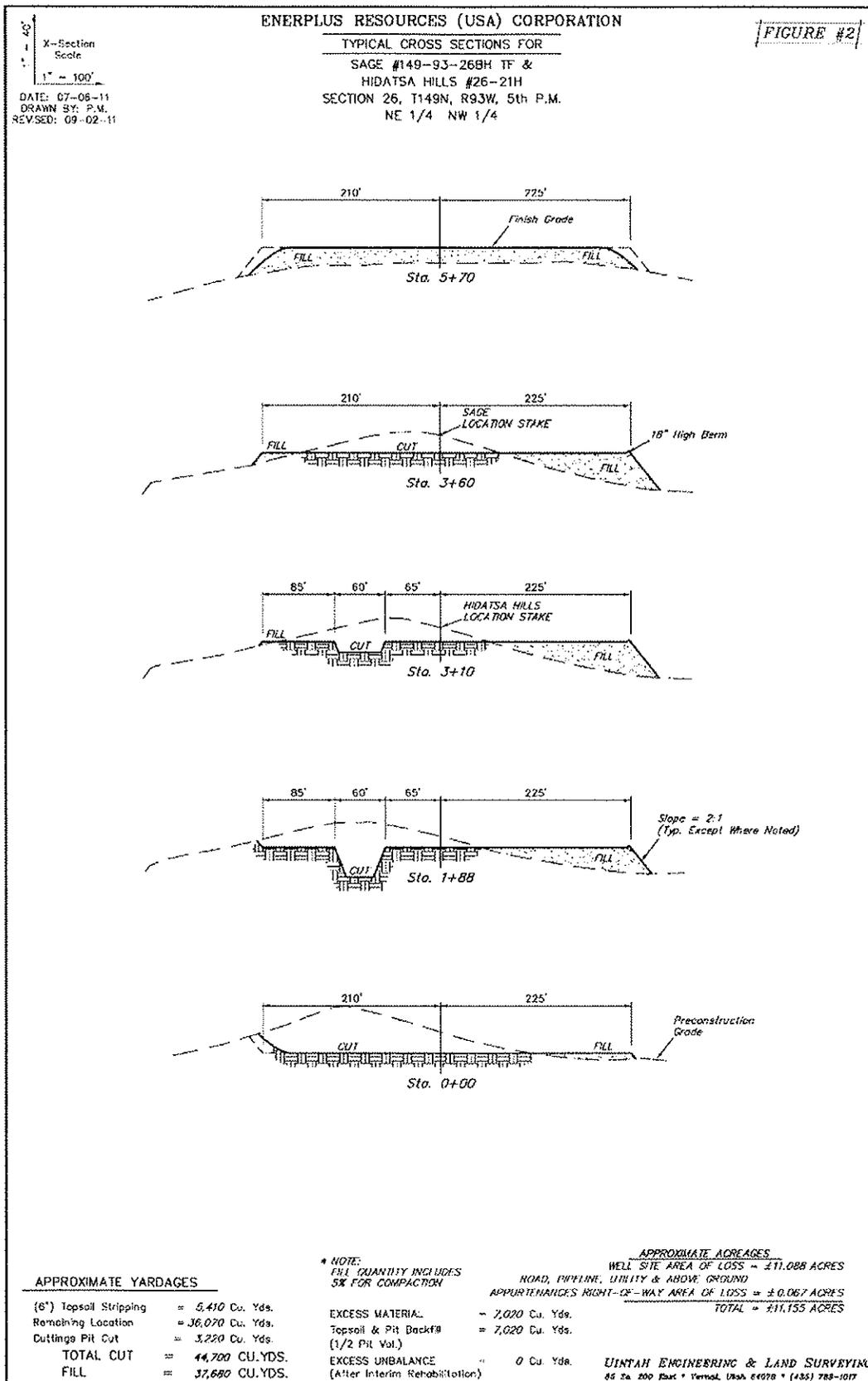
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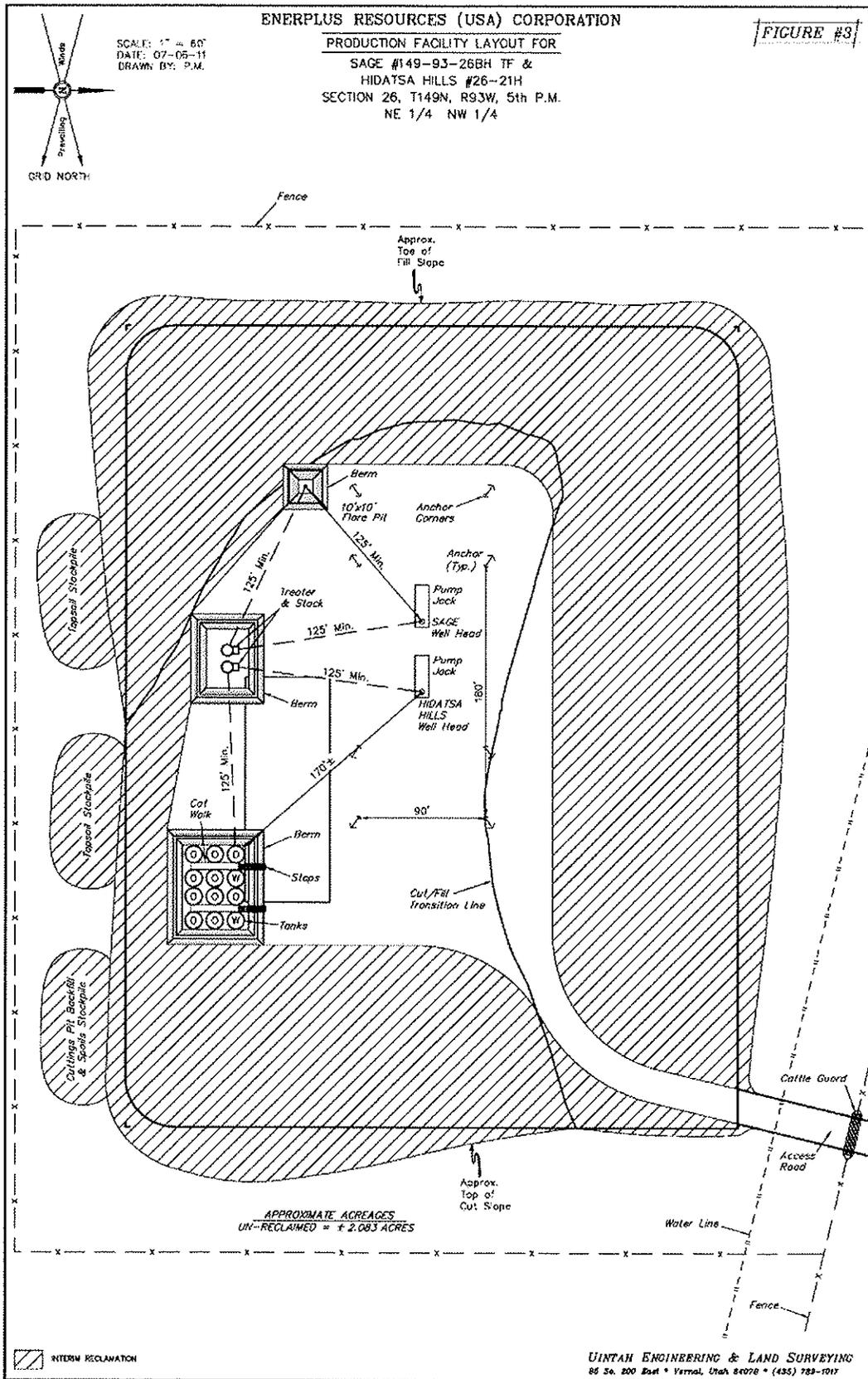
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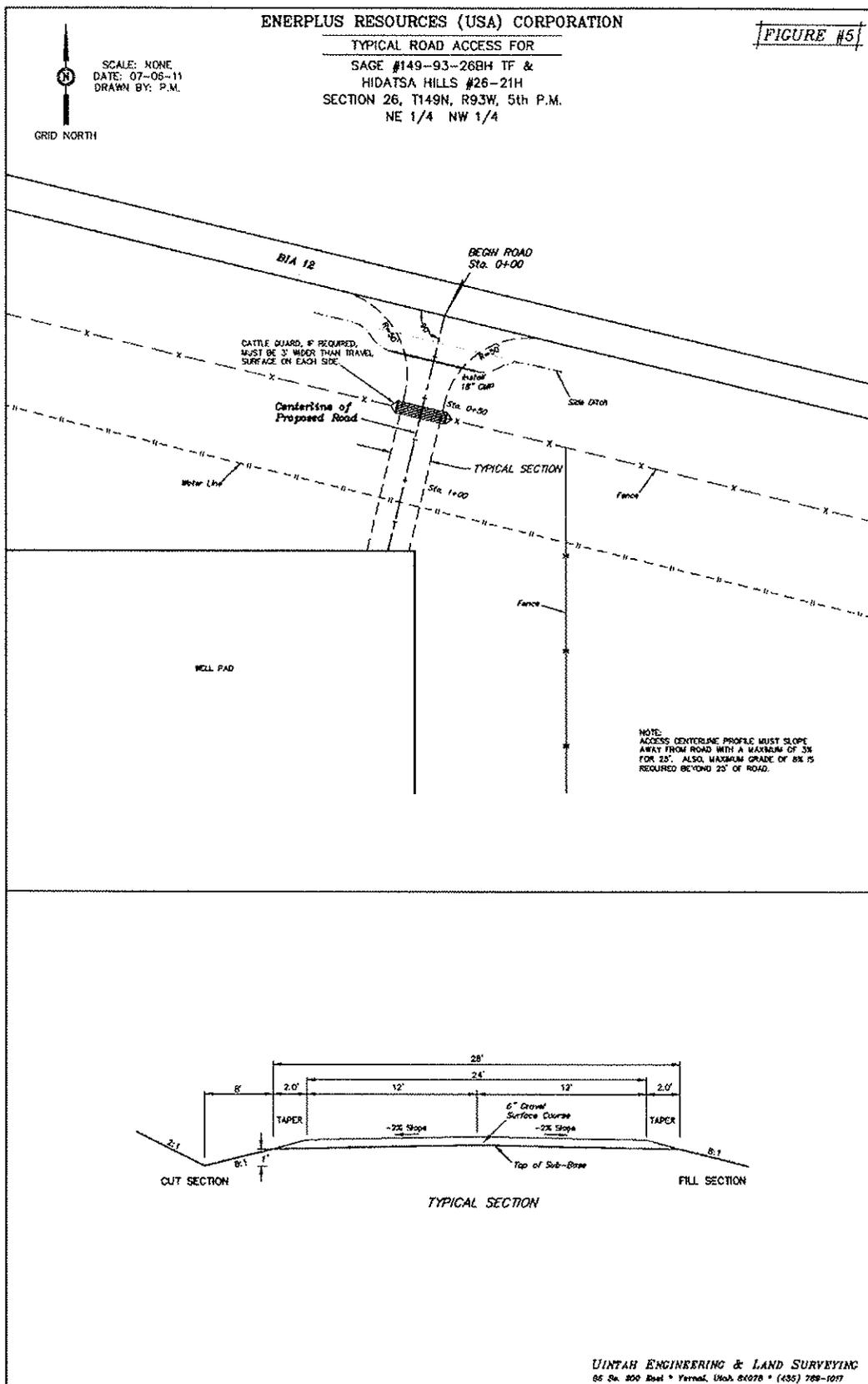
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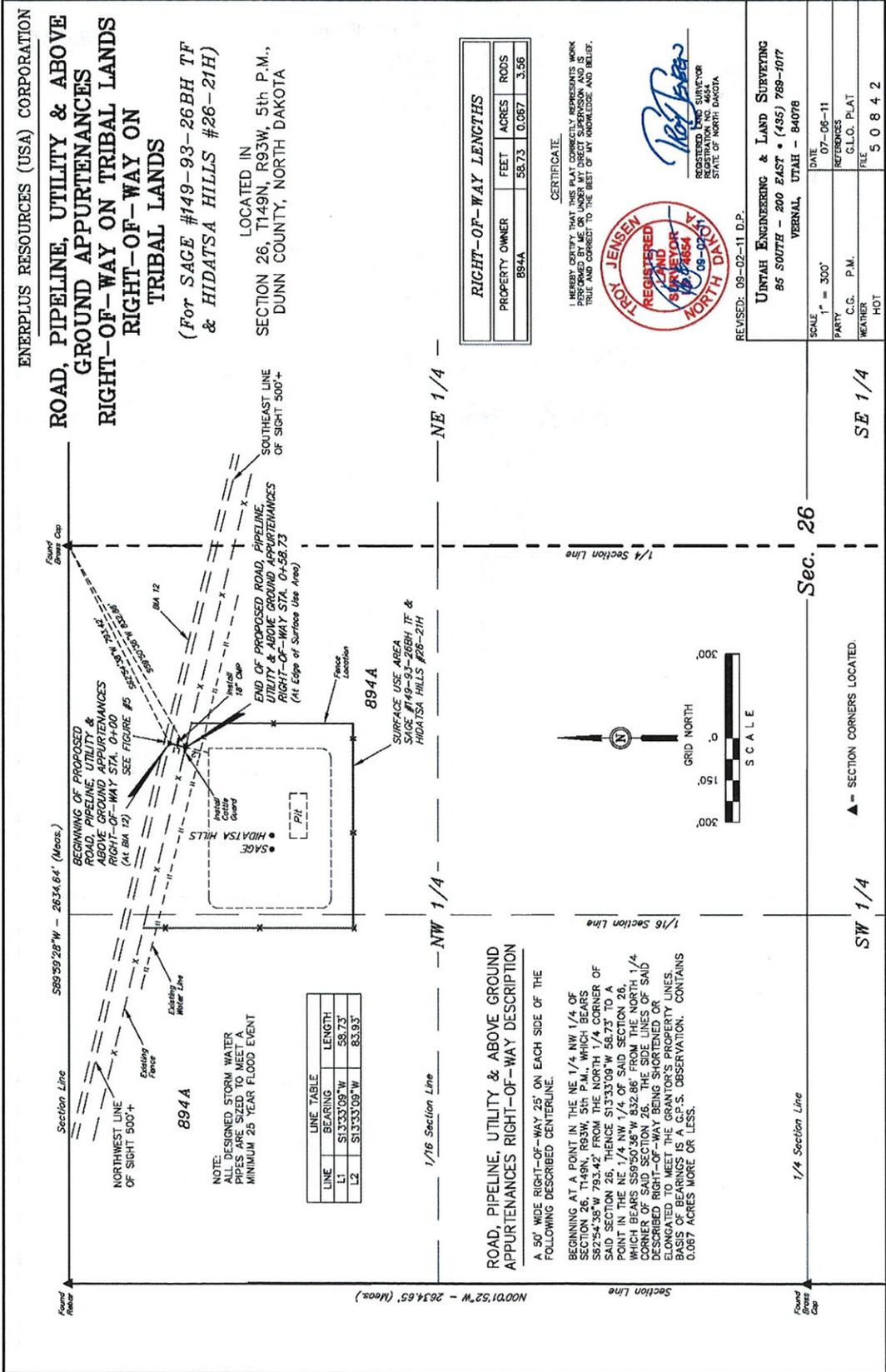
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ENERPLUS RESOURCES (USA) CORPORATION
ROAD, PIPELINE, UTILITY & ABOVE GROUND APPURTENANCES RIGHT-OF-WAY ON TRIBAL LANDS
RIGHT-OF-WAY ON TRIBAL LANDS
 (For SAGE #149-93-26BH TF & HIDATSA HILLS #26-21H)

LOCATED IN SECTION 26, T149N, R93W, 5th P.M., DUNN COUNTY, NORTH DAKOTA

LINE	BEARING	LENGTH
L1	S13°33'09\"W	58.73'
L2	S13°33'09\"W	83.93'

ROAD, PIPELINE, UTILITY & ABOVE GROUND APPURTENANCES RIGHT-OF-WAY DESCRIPTION
 A 50' WIDE RIGHT-OF-WAY 25' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.
 BEGINNING AT A POINT IN THE NE 1/4 NW 1/4 OF SECTION 26, T149N, R93W, 5th P.M., WHICH BEARS S82°54'35\"W 783.42' FROM THE NORTH 1/4 CORNER OF SAID SECTION 26, THENCE S13°33'09\"W 56.73' TO A POINT IN THE NE 1/4 NW 1/4 OF SAID SECTION 26, WHICH BEARS S59°50'35\"W 832.86' FROM THE NORTH 1/4 CORNER OF SAID SECTION 26, THE SIDE LINES OF SAID DESCRIBED RIGHT-OF-WAY BEING SHORTENED OR ELONGATED TO MEET THE GRANTOR'S PROPERTY LINES. SAID DESCRIBED RIGHT-OF-WAY BEING 1.65 ACRES MORE OR LESS.

RIGHT-OF-WAY LENGTHS			
PROPERTY OWNER	FEET	ACRES	RODS
894A	58.73	1.087	3.56

CERTIFICATE
 I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS WORK PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

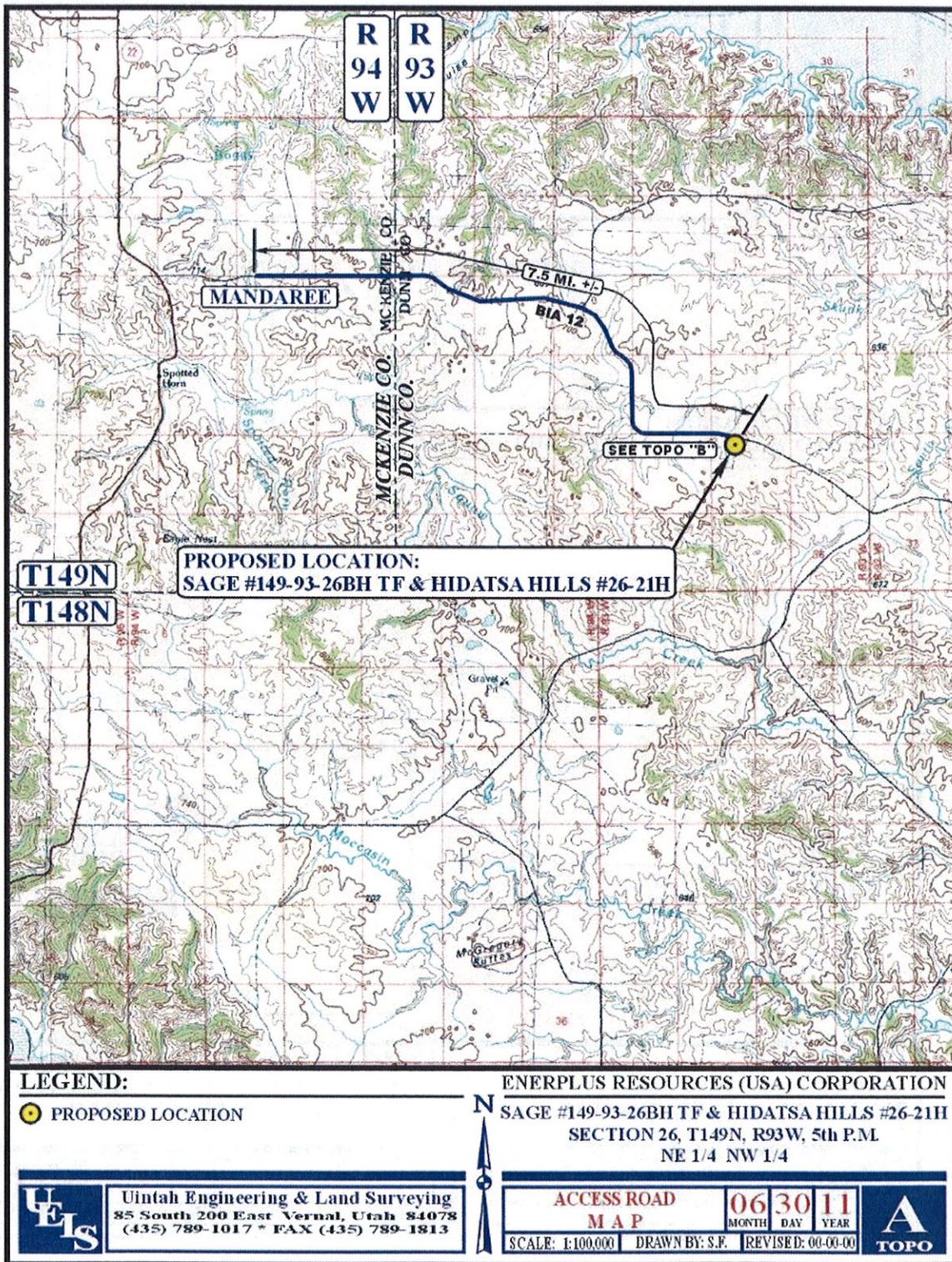


REVISED: 09-02-11 D.P.

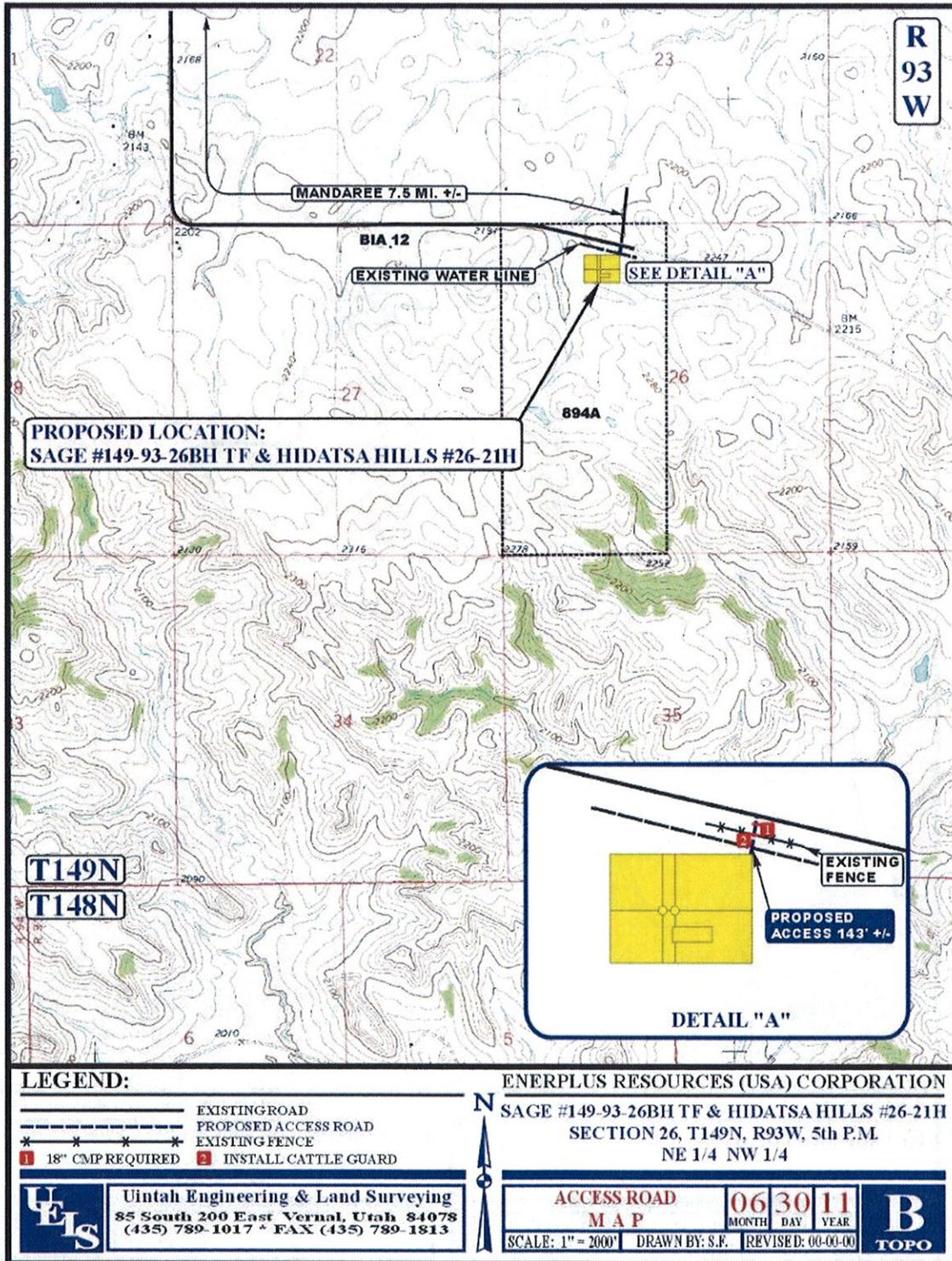
UTAH ENGINEERING & LAND SURVEYING
 85 SOUTH - 200 EAST • (435) 789-1017
 VERNAL, UTAH - 84078

SCALE: 1" = 300'	DATE: 07-08-11
PARTY: C.C. P.M.	REFERENCES: G.L.O. PLAT
WEATHER: HOT	FILE: 5 0 8 4 2

Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



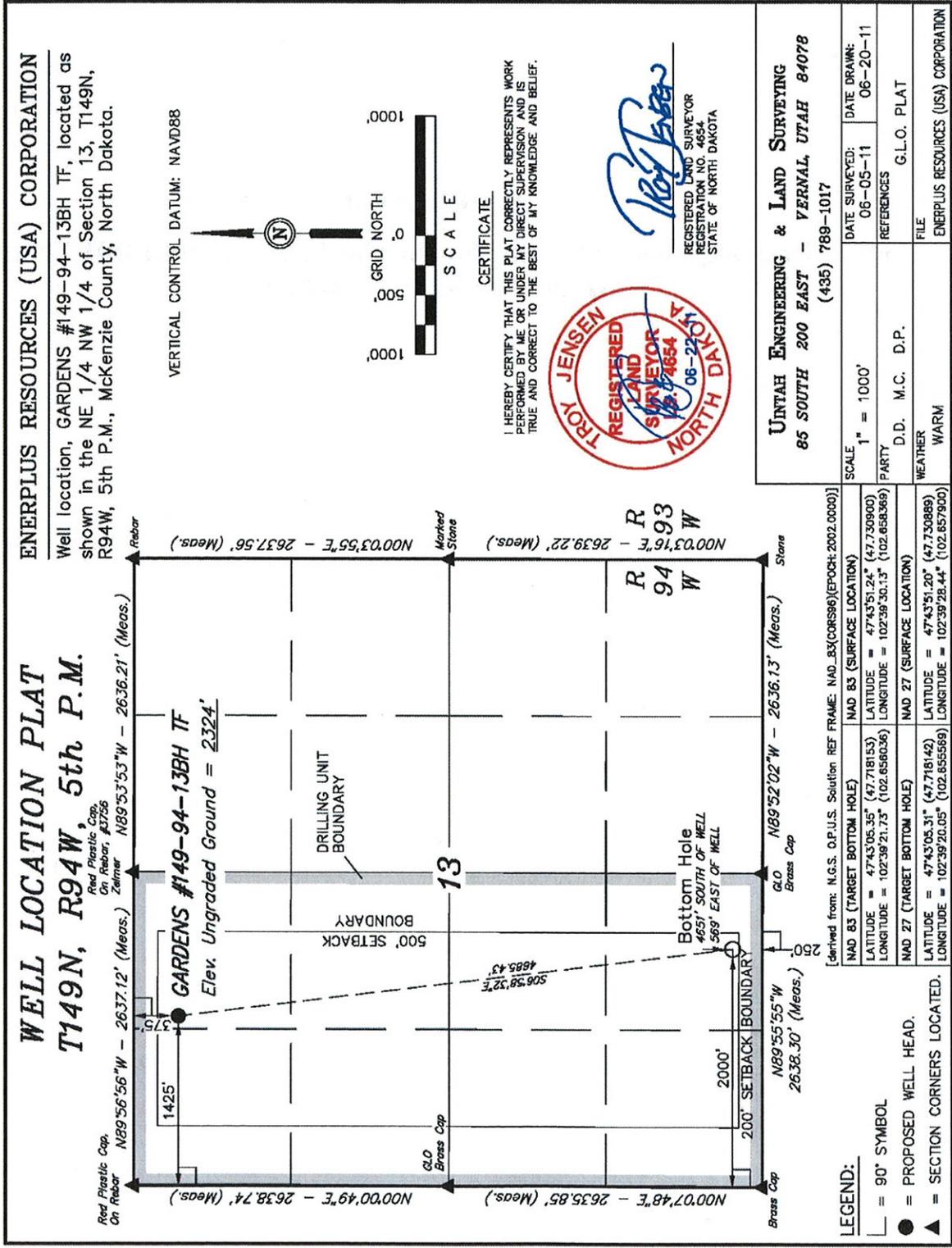
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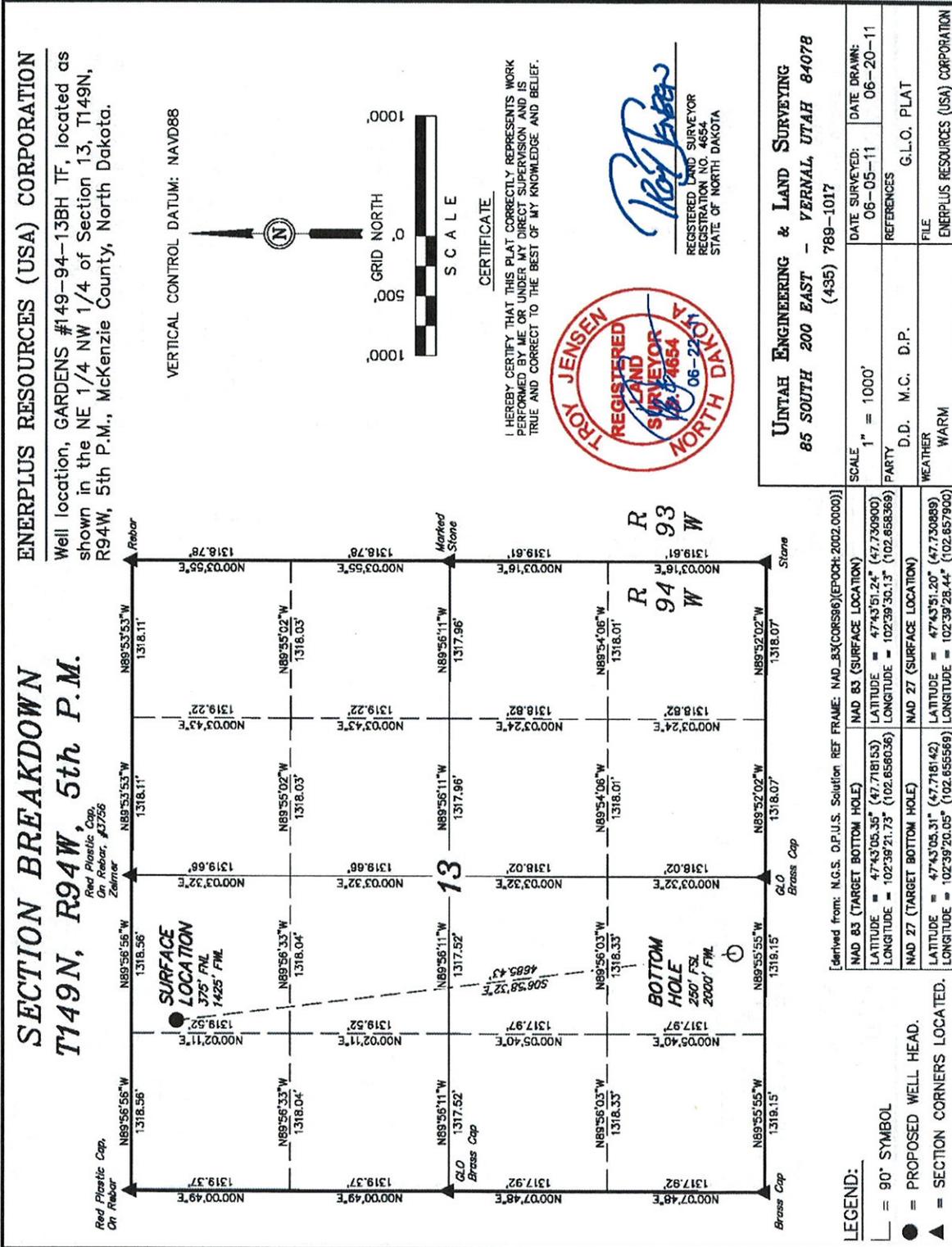
APPENDIX B

Plats, Drawings, and Diagrams for the Gardens #149-94-13BH TF and Hudson #13-21H Well Pad

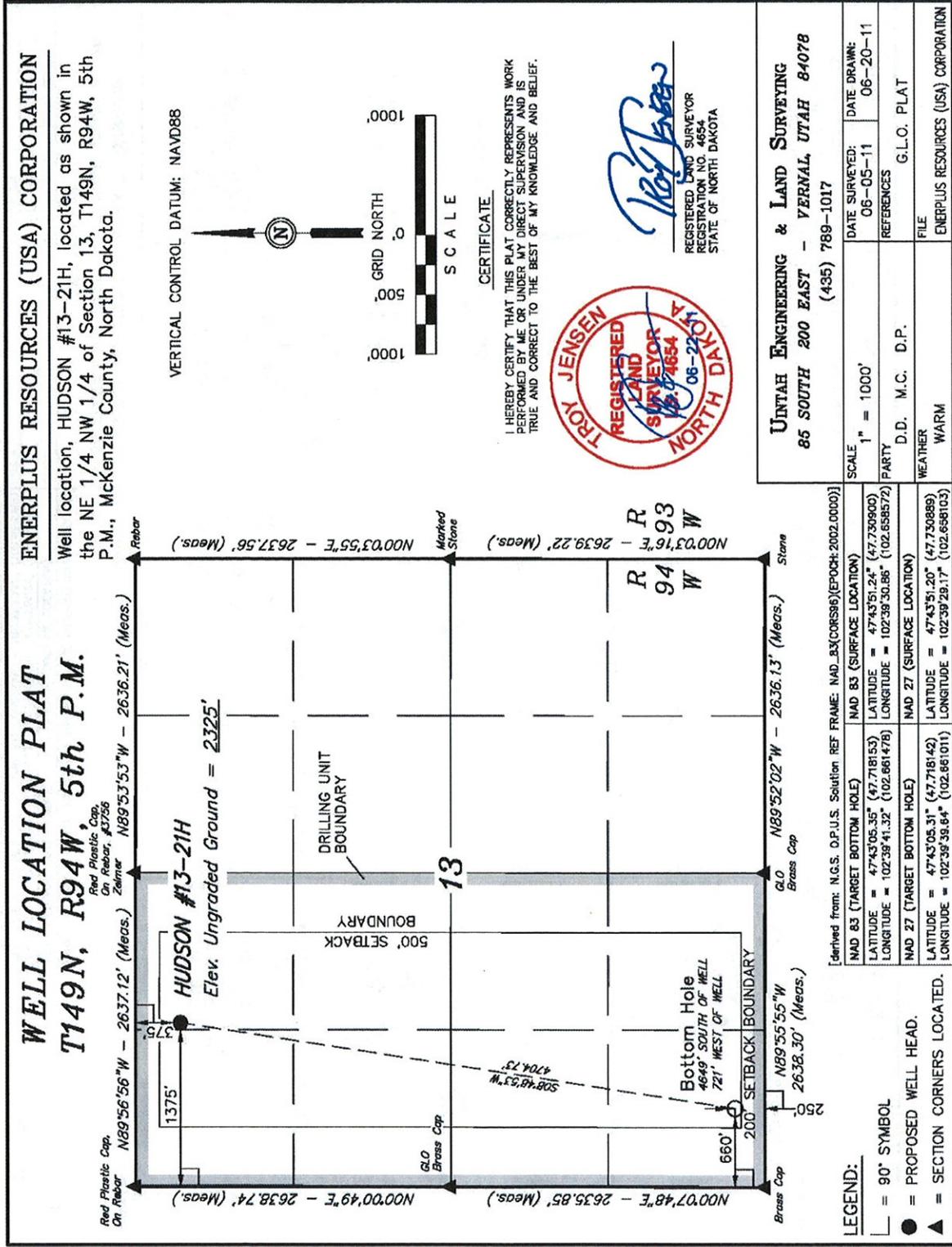
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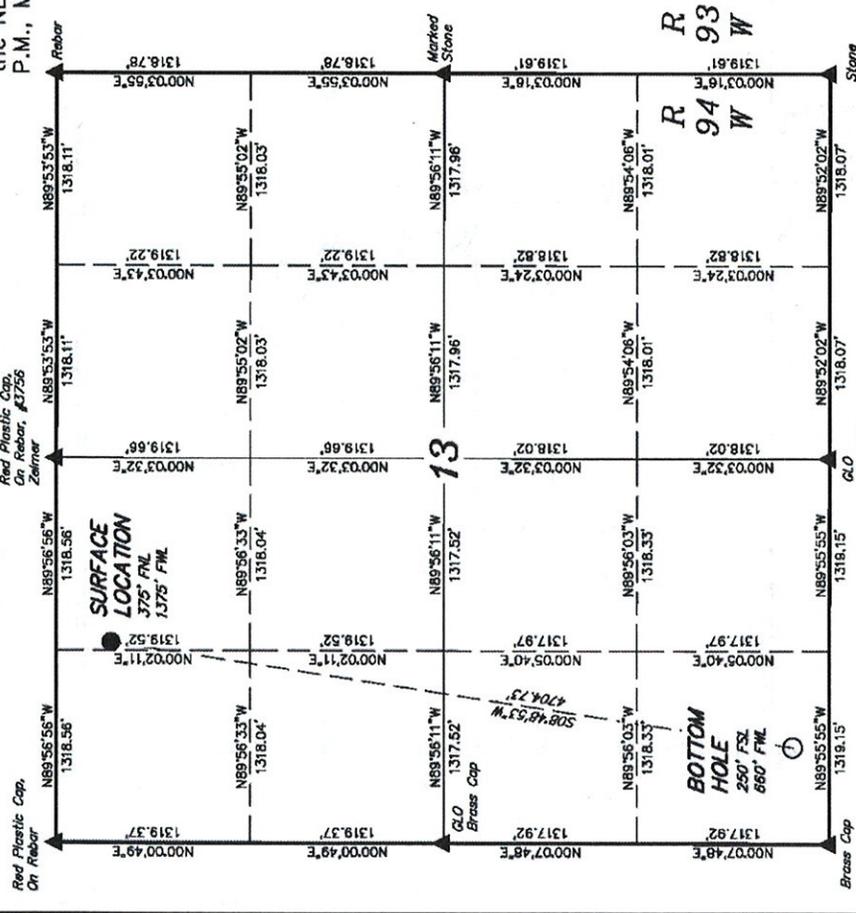
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road
Modification (February 2012)



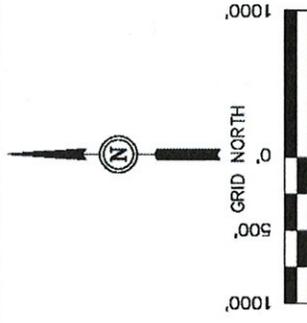
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**SECTION BREAKDOWN
T149N, R94W, 5th P.M.**

ENERPLUS RESOURCES (USA) CORPORATION
Well location, HUDSON #13-21H, located as shown in the NE 1/4 NW 1/4 of Section 13, T149N, R94W, 5th P.M., McKenzie County, North Dakota.



VERTICAL CONTROL DATUM: NAVD88



I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS WORK PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



Troy Jensen
REGISTERED LAND SURVEYOR
REGISTRATION NO. 4854
STATE OF NORTH DAKOTA

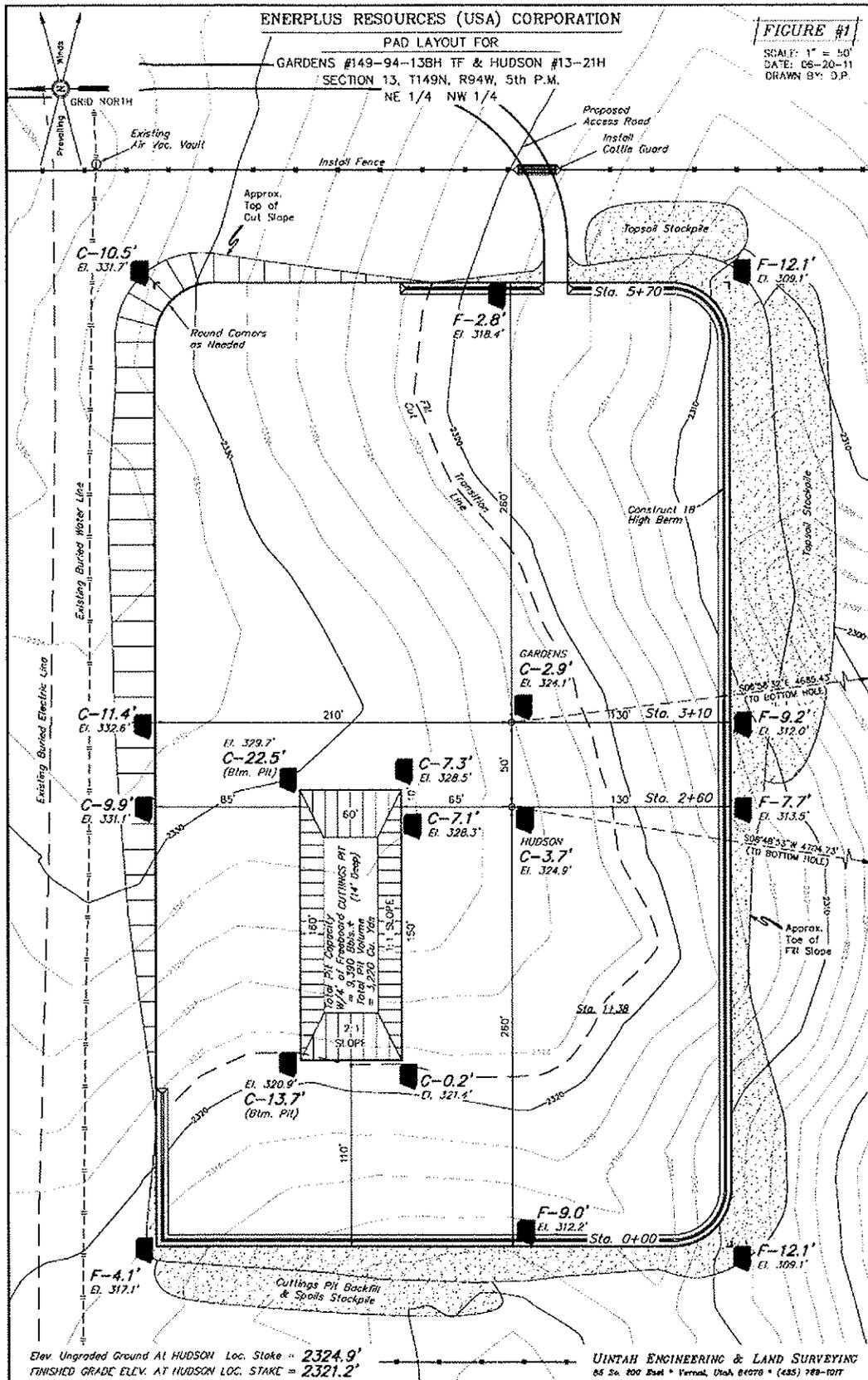
UNTAH ENGINEERING & LAND SURVEYING
85 SOUTH 200 EAST - VERNAL, UTAH 84078
(435) 789-1017

SCALE 1" = 1000'	DATE SURVEYED: 06-05-11	DATE DRAWN: 06-20-11
	REFERENCES G.L.O. PLAT	
	PARTY D.D. M.C. D.P.	FILE ENERPLUS RESOURCES (USA) CORPORATION
	WEATHER WARM	

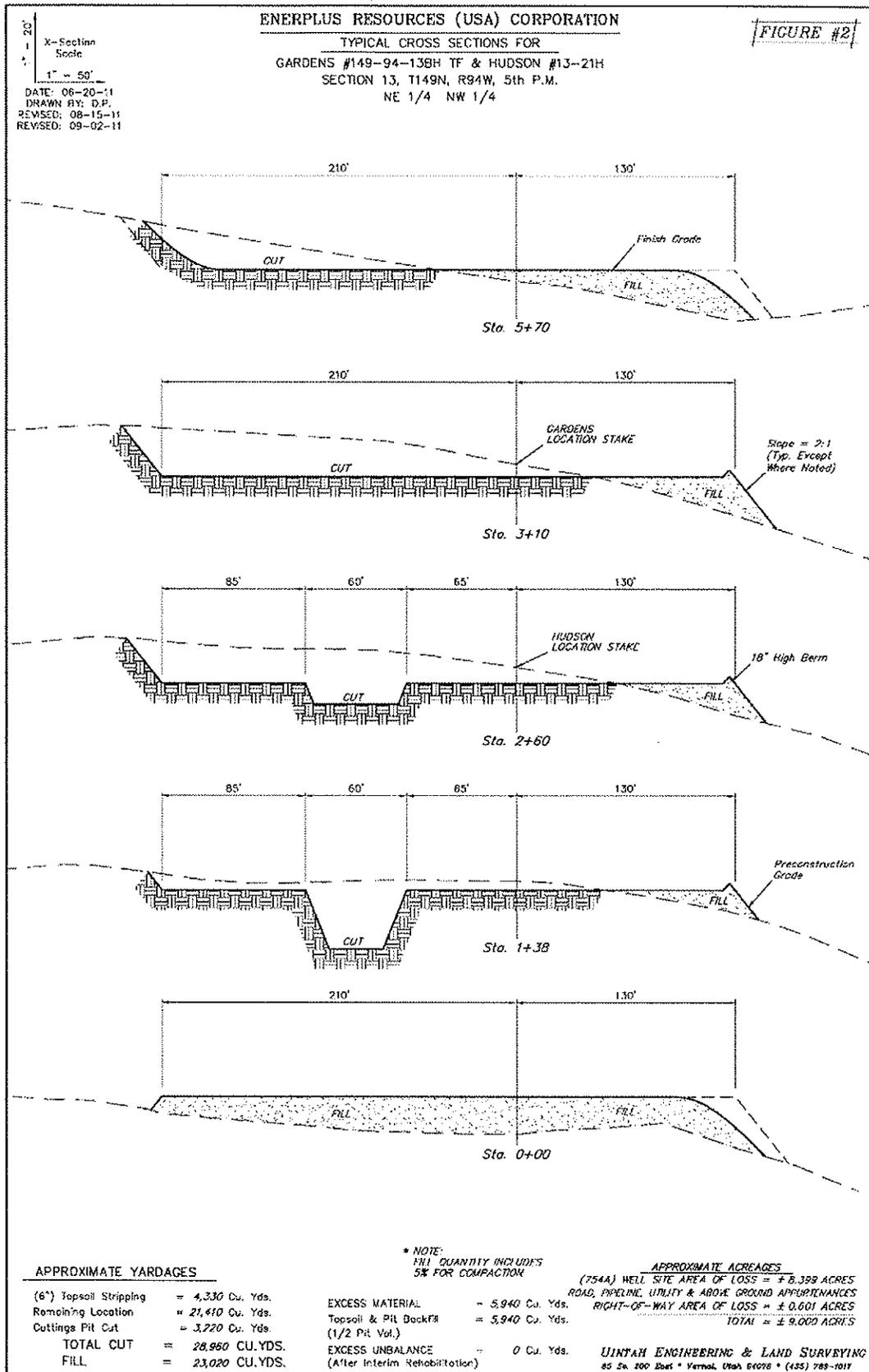
[derived from: N.G.S. D.P.U.S. Solution REF FRAME: NAD_83(CORS96)/EPOCH:2002.0000]]
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 NAD 27 (TARGET BOTTOM HOLE) LATITUDE = 47°43'05.31" (47.718142) LONGITUDE = 102°39'39.64" (102.661011)
 NAD 83 (SURFACE LOCATION) LATITUDE = 47°43'51.24" (47.730900) LONGITUDE = 102°39'30.86" (102.658572)

- LEGEND:**
- = 90° SYMBOL
 - = PROPOSED WELL HEAD.
 - ▲ = SECTION CORNERS LOCATED.

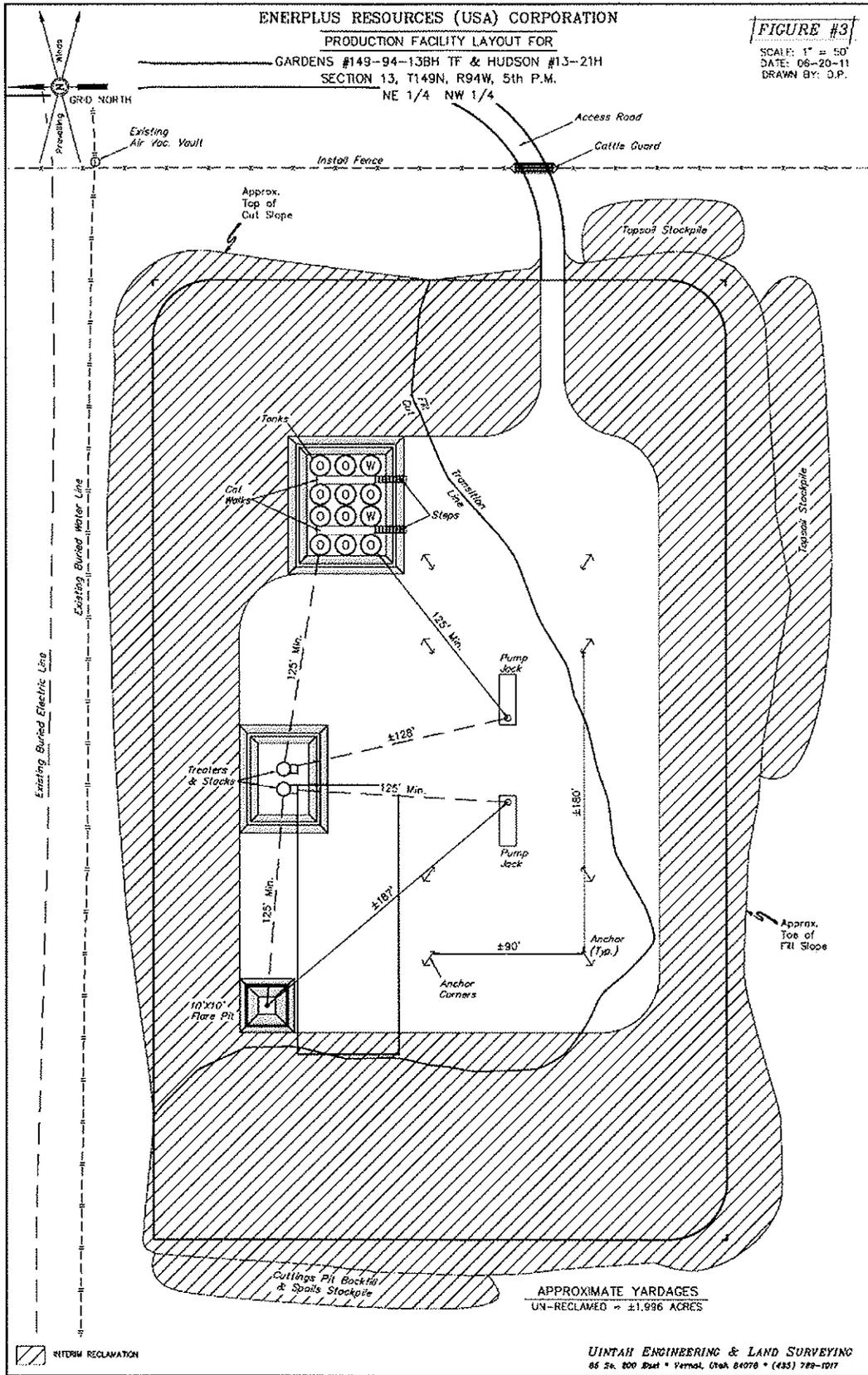
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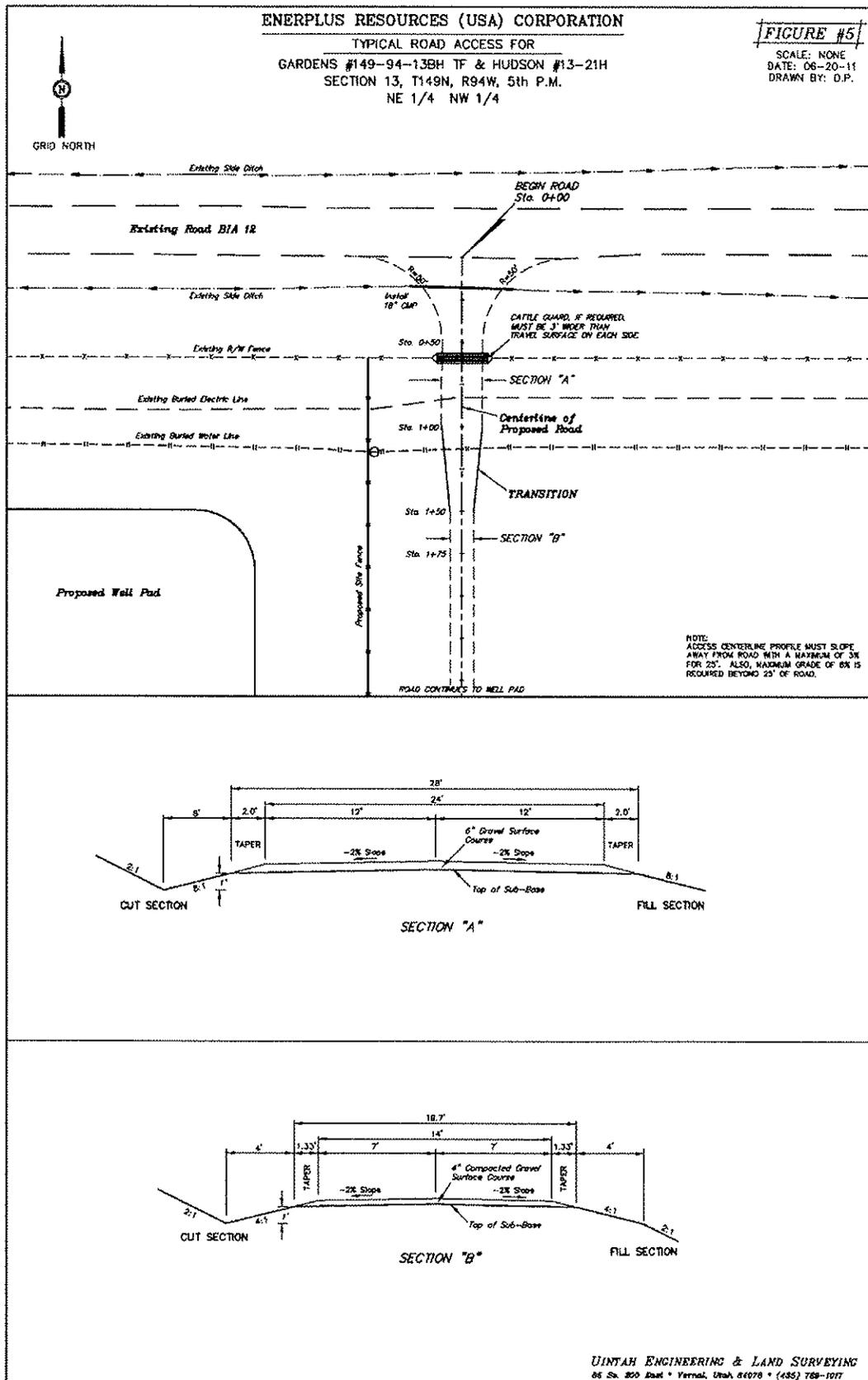
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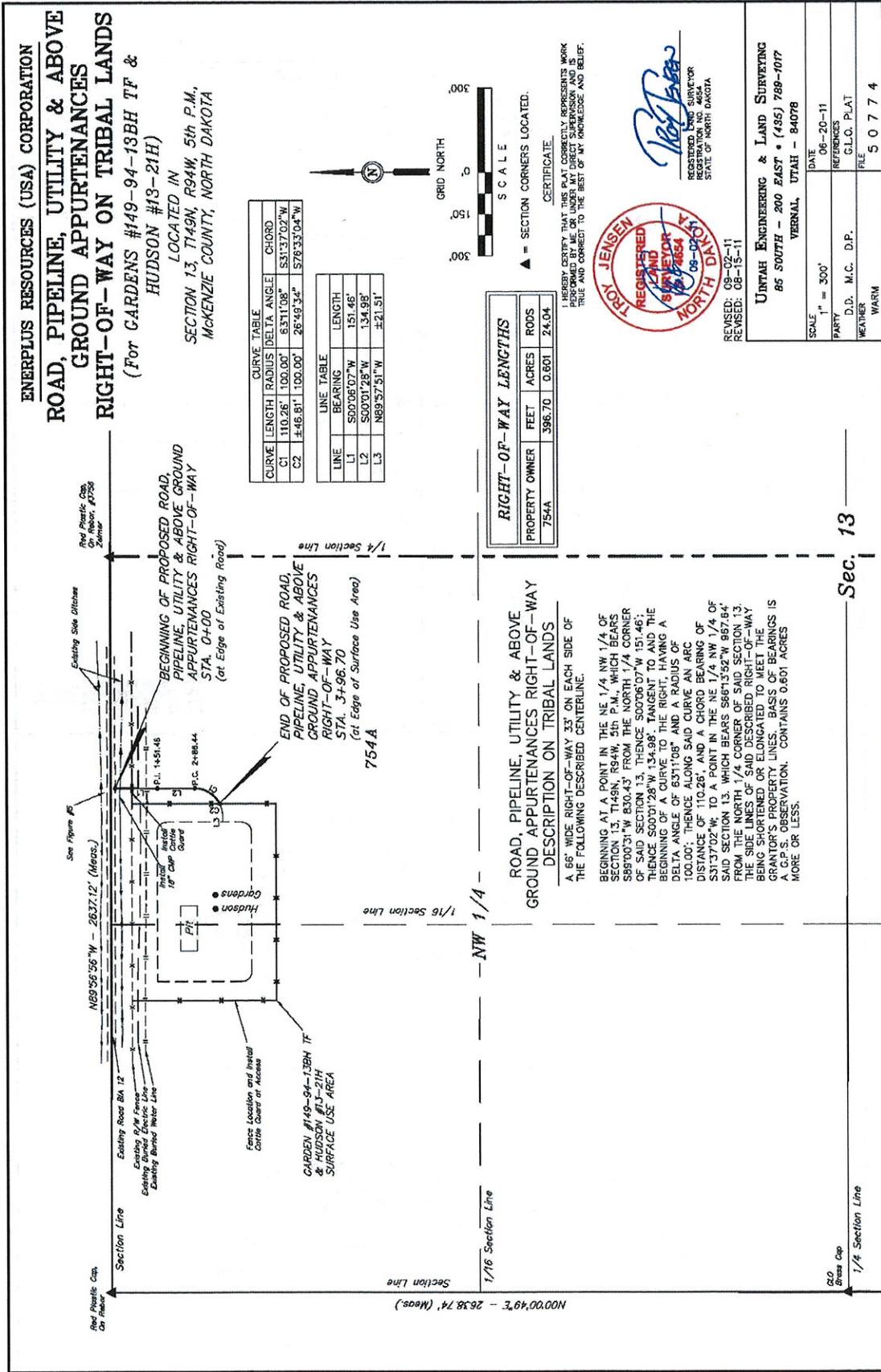
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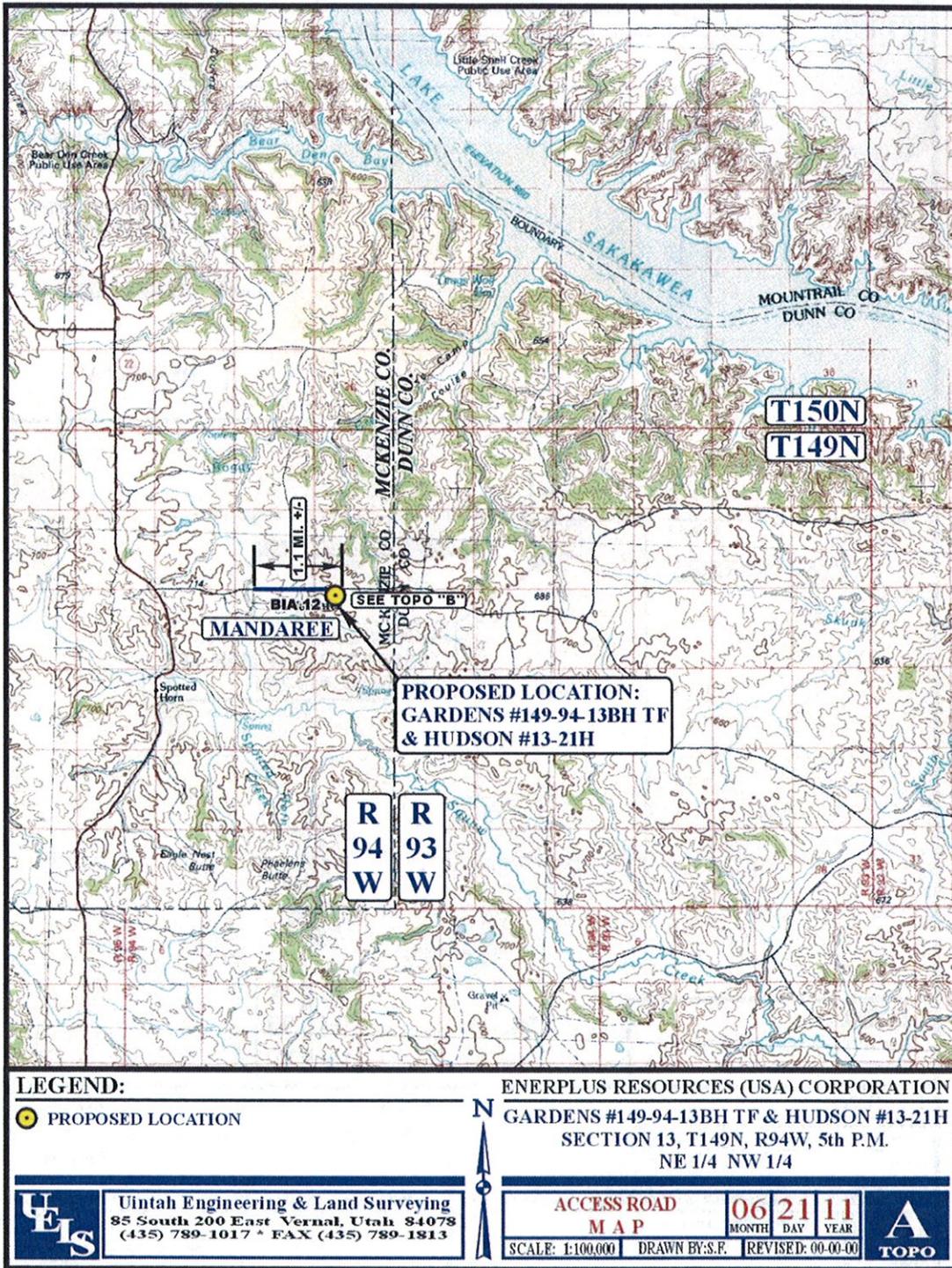
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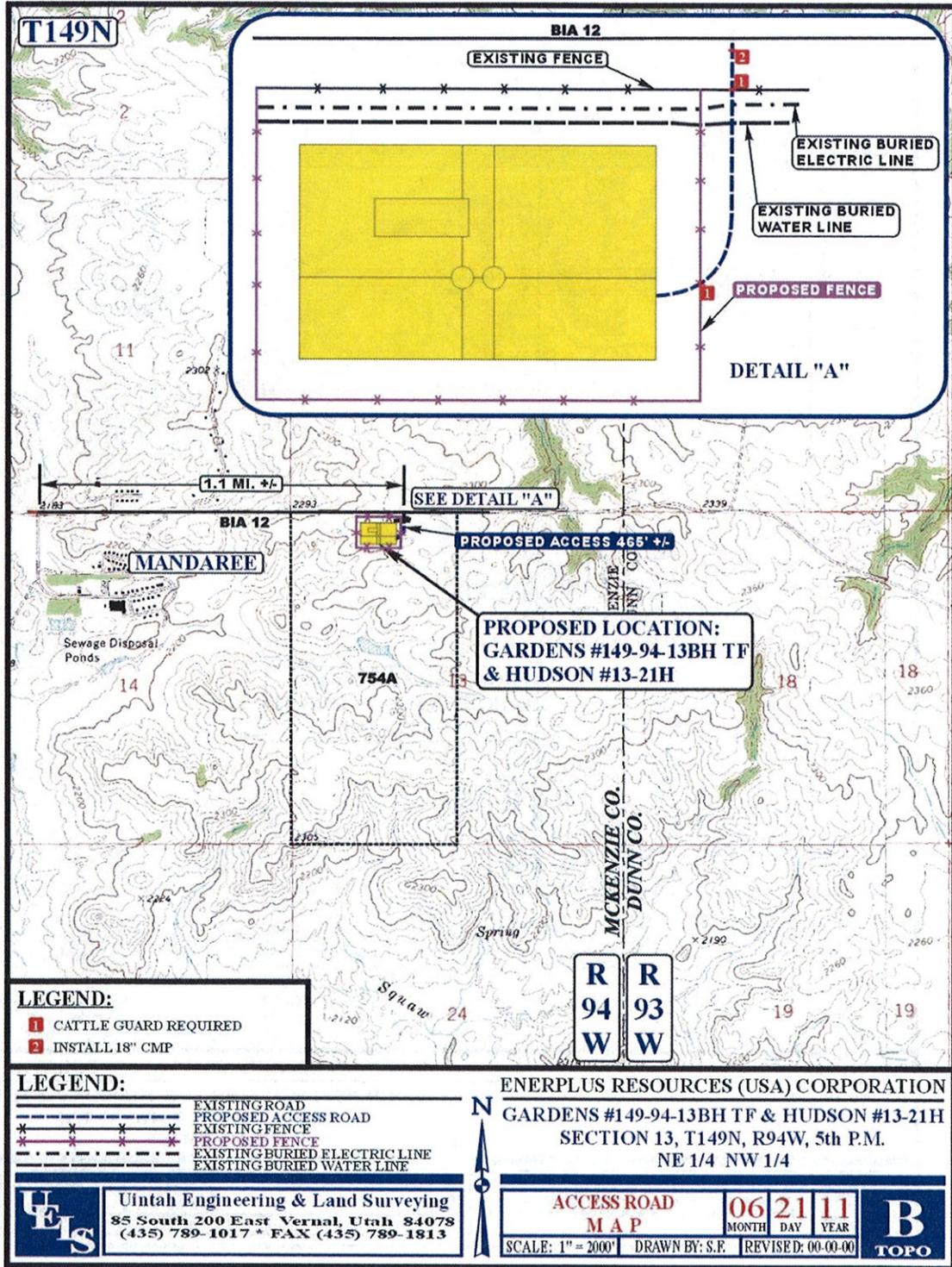
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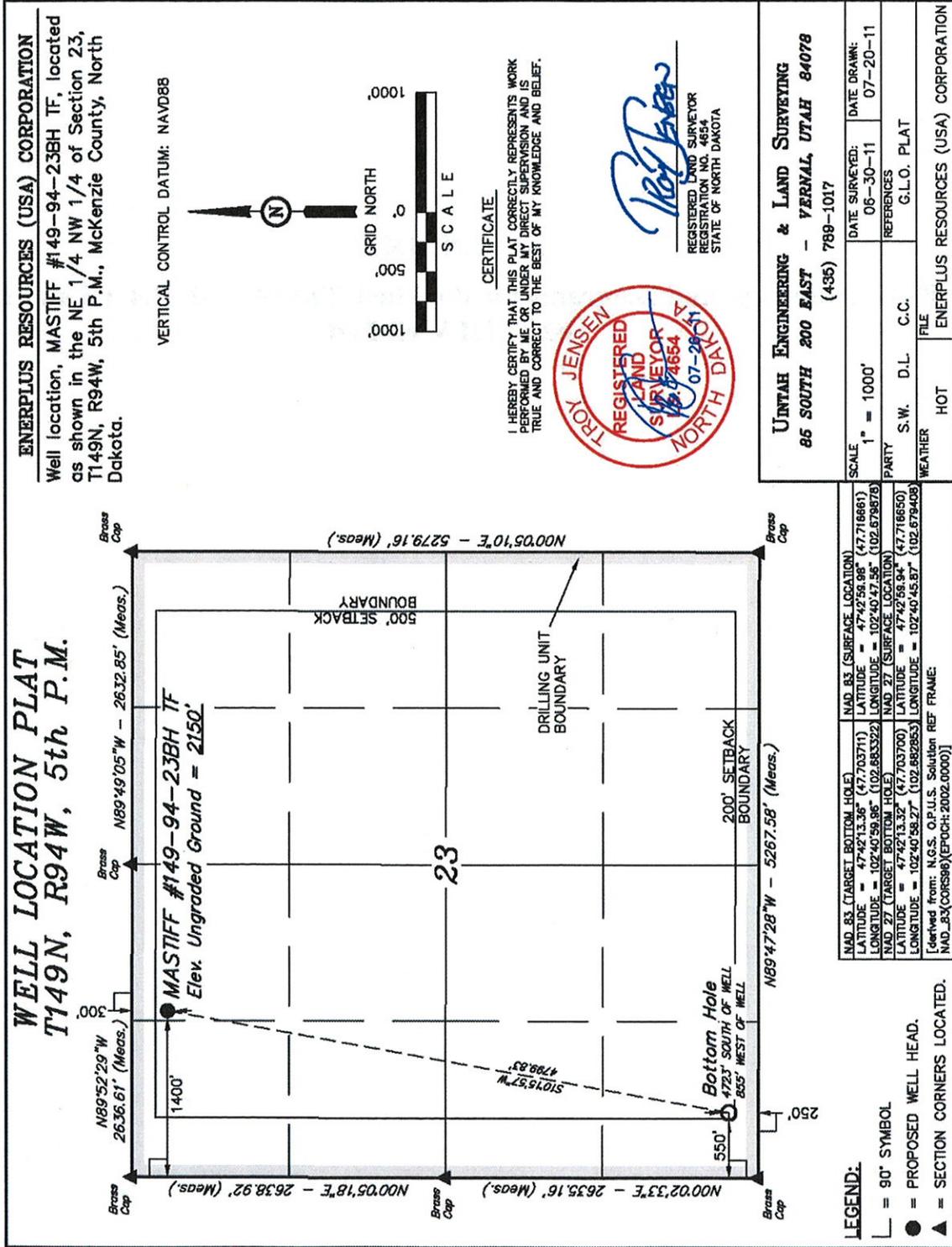
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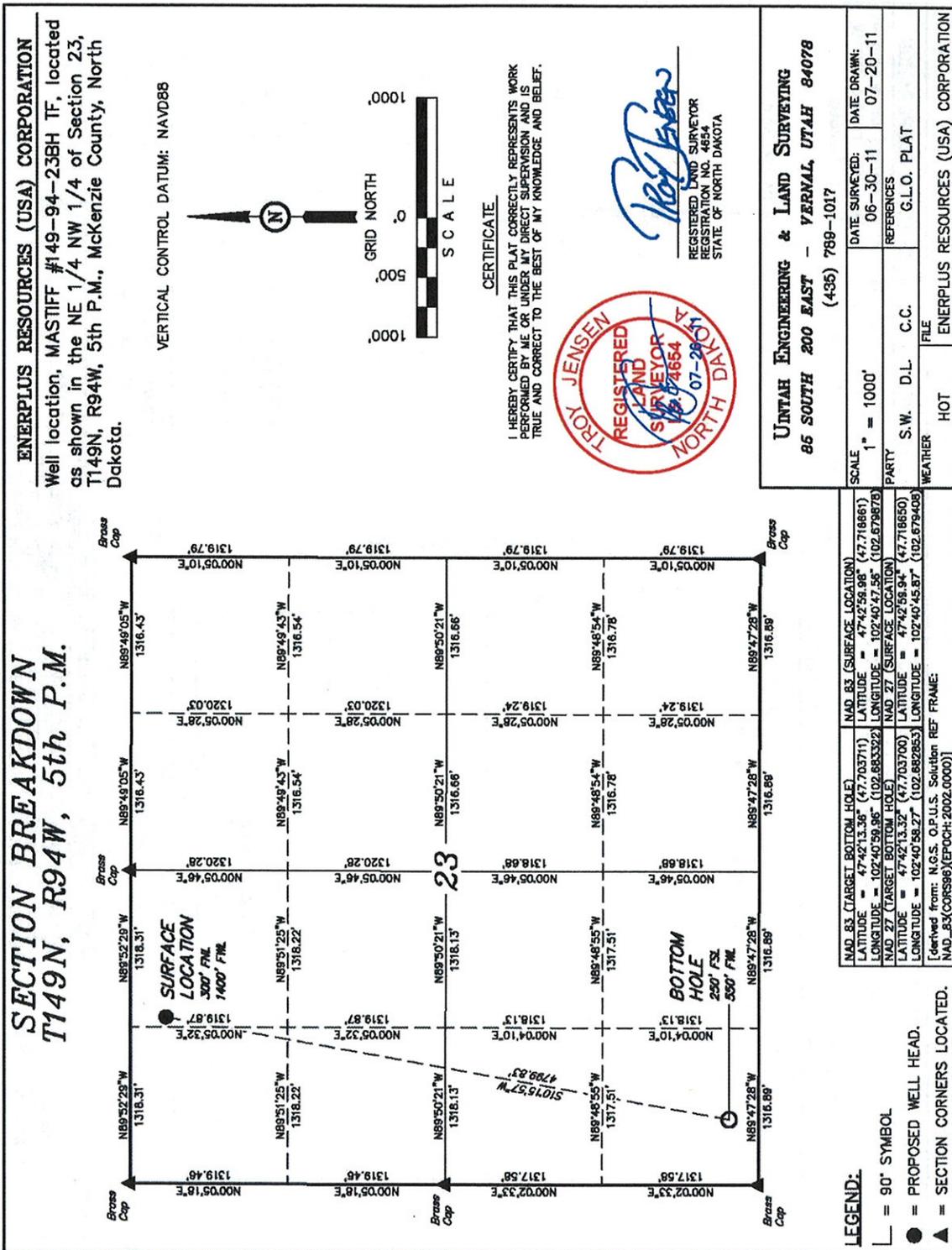
APPENDIX C

Plats, Drawings, and Diagrams for the Mastiff #149-94-23BH TF and Hall #23-21H Well Pad

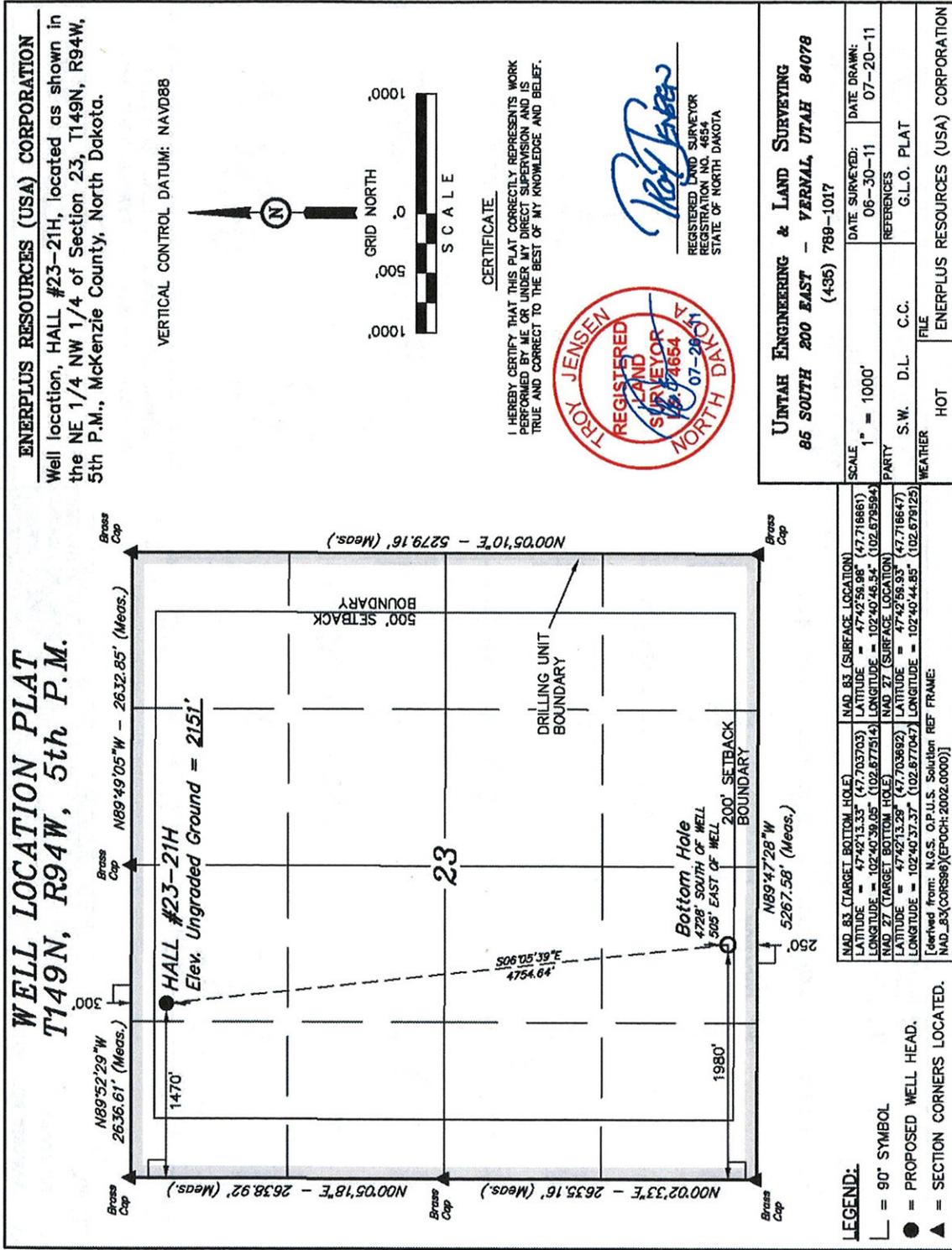
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



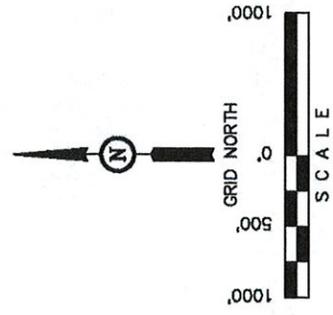
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



ENERPLUS RESOURCES (USA) CORPORATION

Well location, HALL #23-21H, located as shown in the NE 1/4 NW 1/4 of Section 23, T149N, R94W, 5th P.M., McKenzie County, North Dakota.

VERTICAL CONTROL DATUM: NAVD88



CERTIFICATE

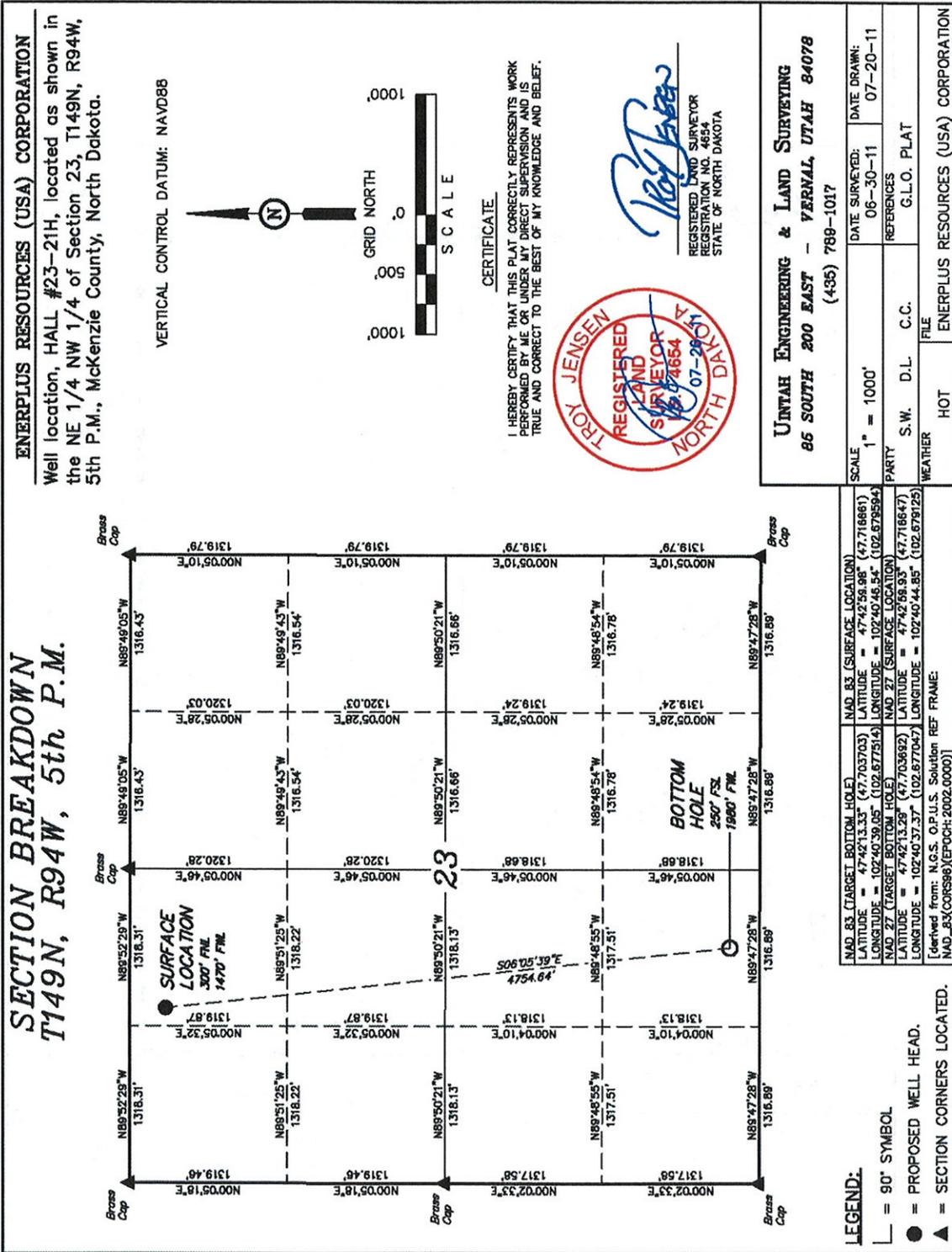
I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS WORK PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



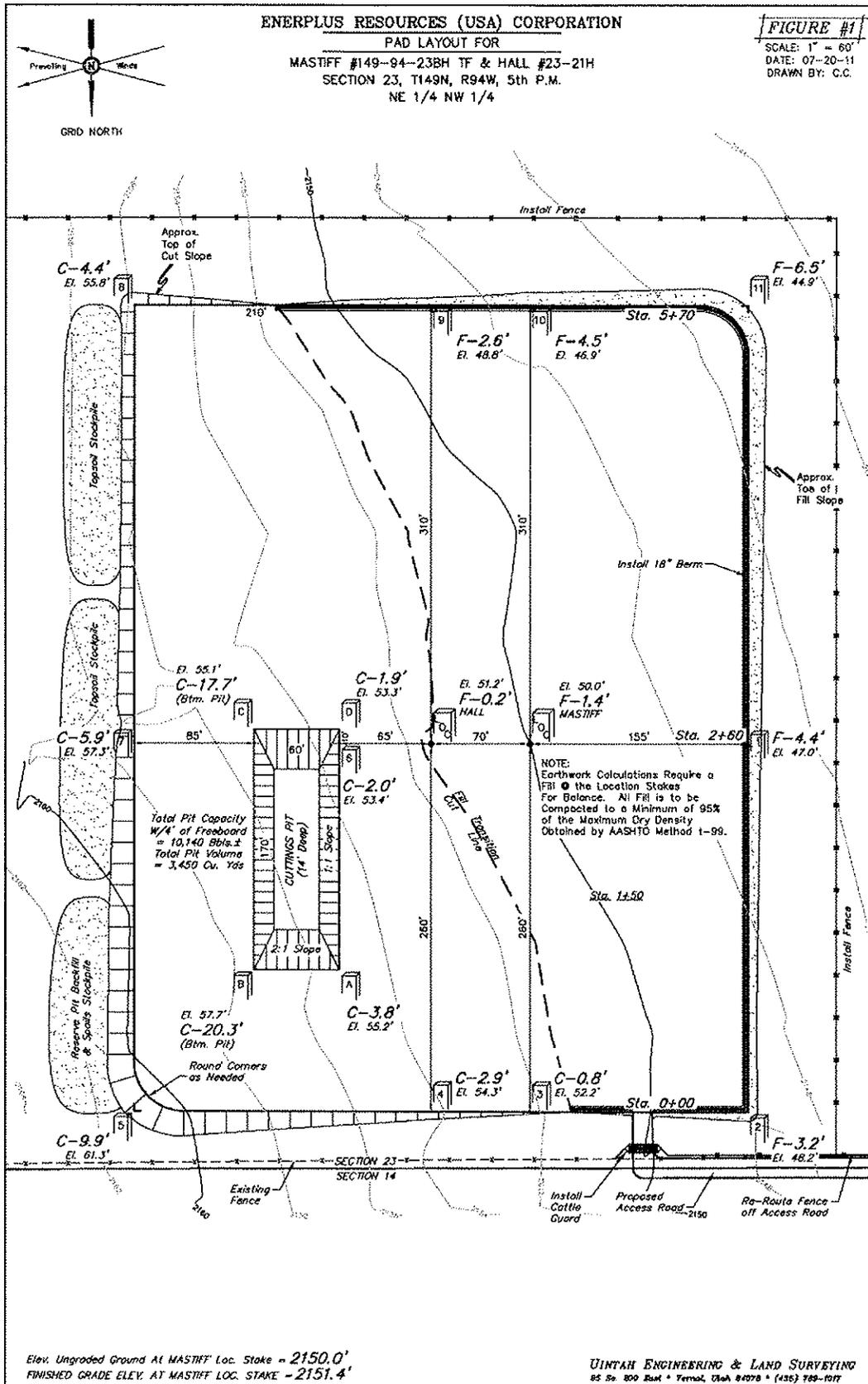
Troy Jensen
REGISTERED LAND SURVEYOR
REGISTRATION NO. 4654
STATE OF NORTH DAKOTA

UNTAH ENGINEERING & LAND SURVEYING	
85 SOUTH 200 EAST - VERNAL, UTAH 84078 (435) 789-1017	
SCALE	DATE SURVEYED: 06-30-11
DATE SURVEYED: 06-30-11	DATE DRAWN: 07-20-11
PARTY	REFERENCES
S.W. D.L. C.C.	G.L.O. PLAT
WEATHER	FILE
HOT	ENERPLUS RESOURCES (USA) CORPORATION

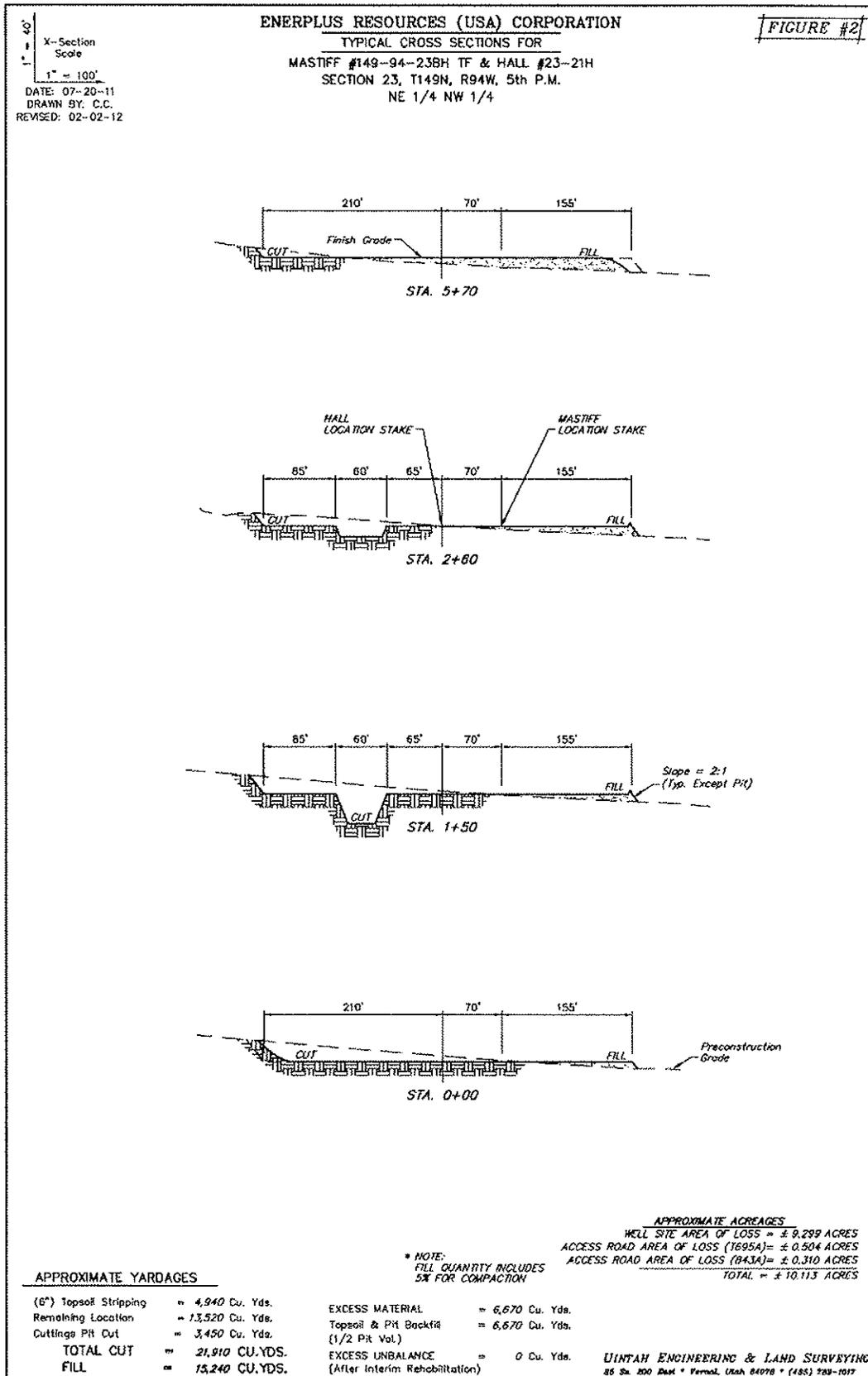
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



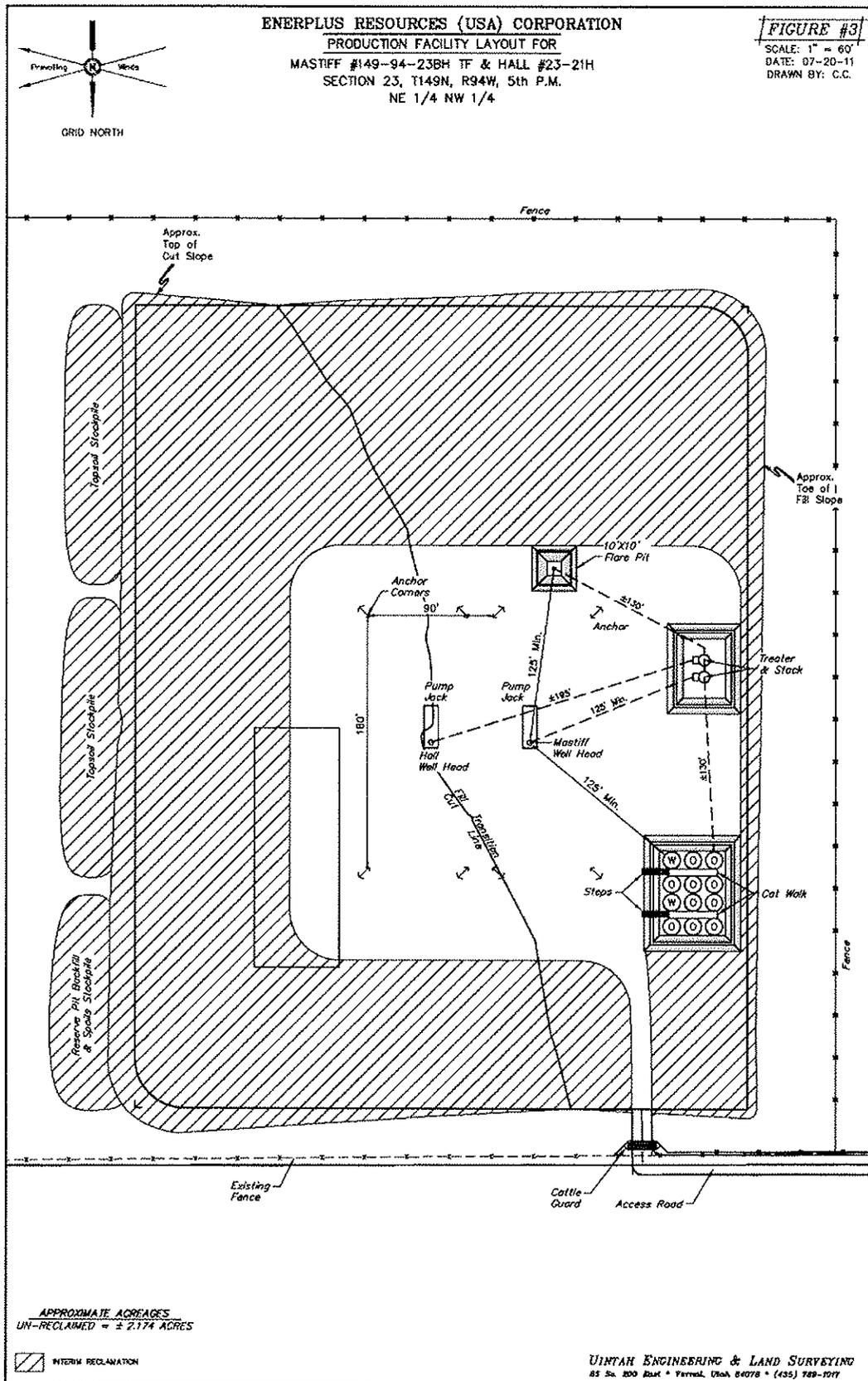
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)

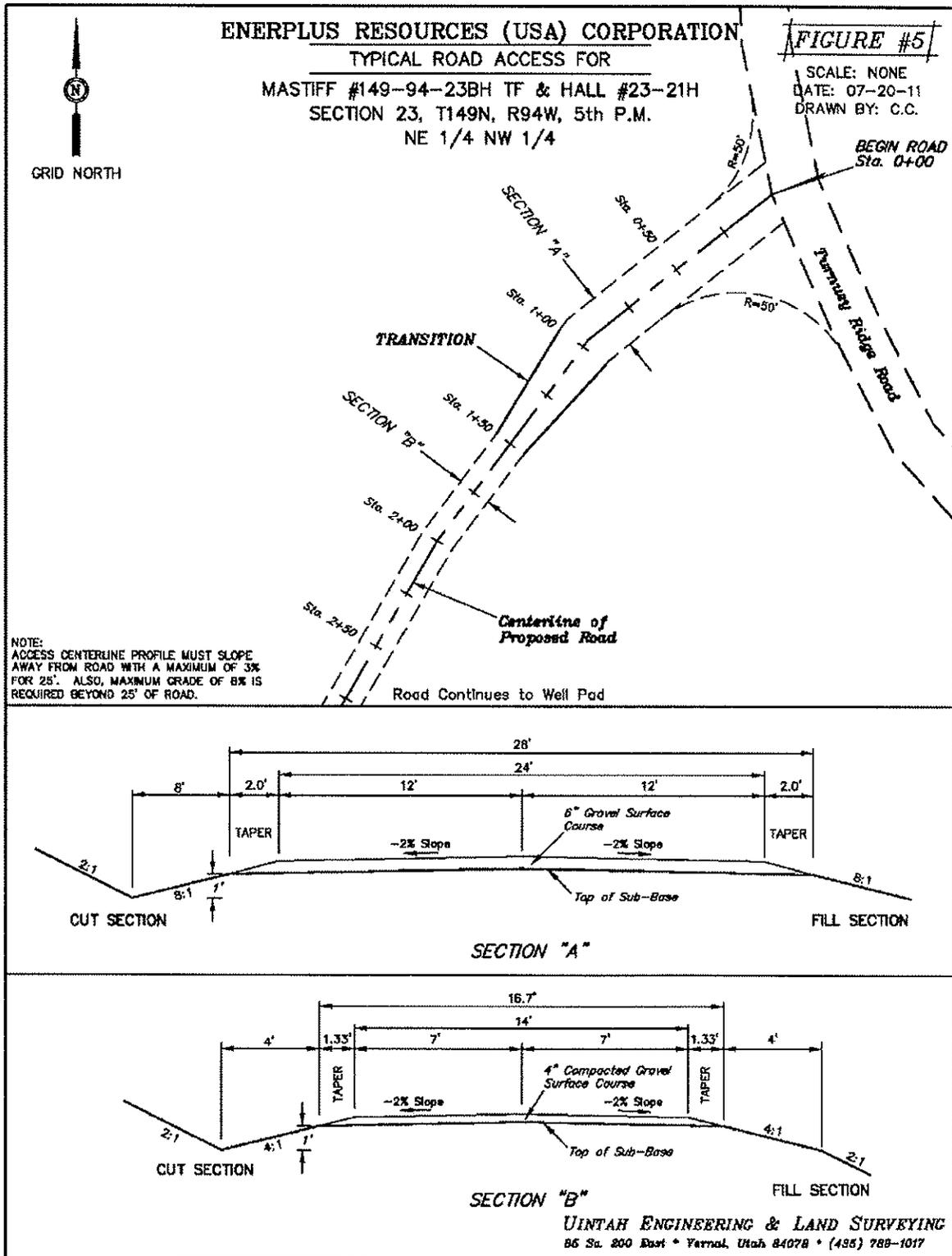


Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)

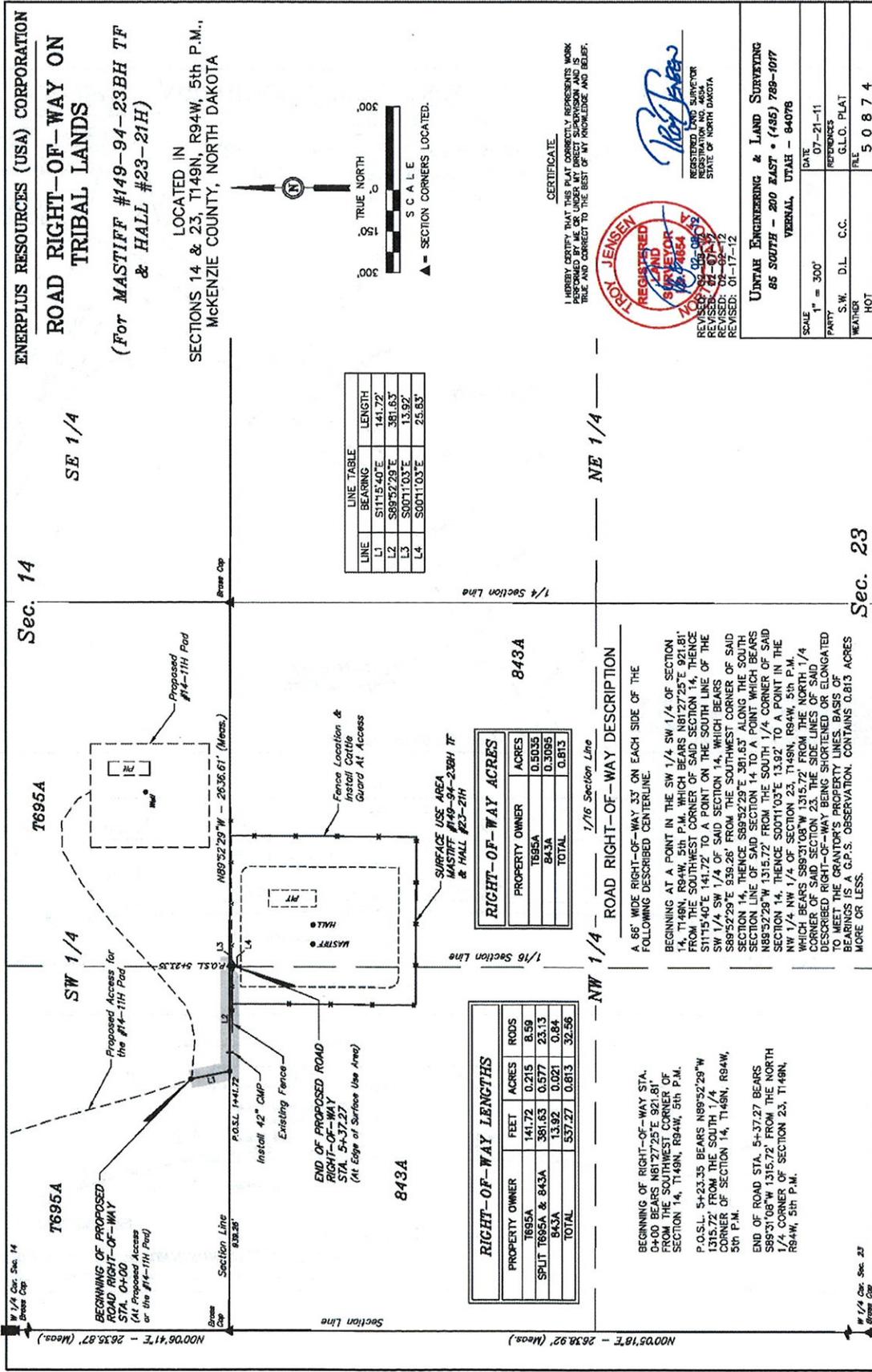


Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)





Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



CERTIFICATE
 I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS THE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

TROY JENSEN
 REGISTERED LAND SURVEYOR
 REGISTRATION NO. 4684
 STATE OF NORTH DAKOTA
 REVISED: 02-09-12
 REVISED: 01-17-12

UNYAK ENGINEERING & LAND SURVEYING 86 SOUTH - 200 EAST • (406) 789-1017 VERNAL, UTAH - 84078	
SCALE	DATE
1" = 300'	07-21-11
PARTY	REFERENCES
S.W. D.L. C.C.	G.L.O. PLAT
WEATHER	FILE
HOT	5 0 8 7 4

RIGHT-OF-WAY LENGTHS			
PROPERTY OWNER	FEET	ACRES	RODS
T695A	141.72	0.215	8.59
SPLIT T695A & 843A	381.63	0.577	23.13
843A	13.92	0.021	0.84
TOTAL	537.27	0.813	32.56

RIGHT-OF-WAY ACRES	
PROPERTY OWNER	ACRES
T695A	0.5035
843A	0.3095
TOTAL	0.813

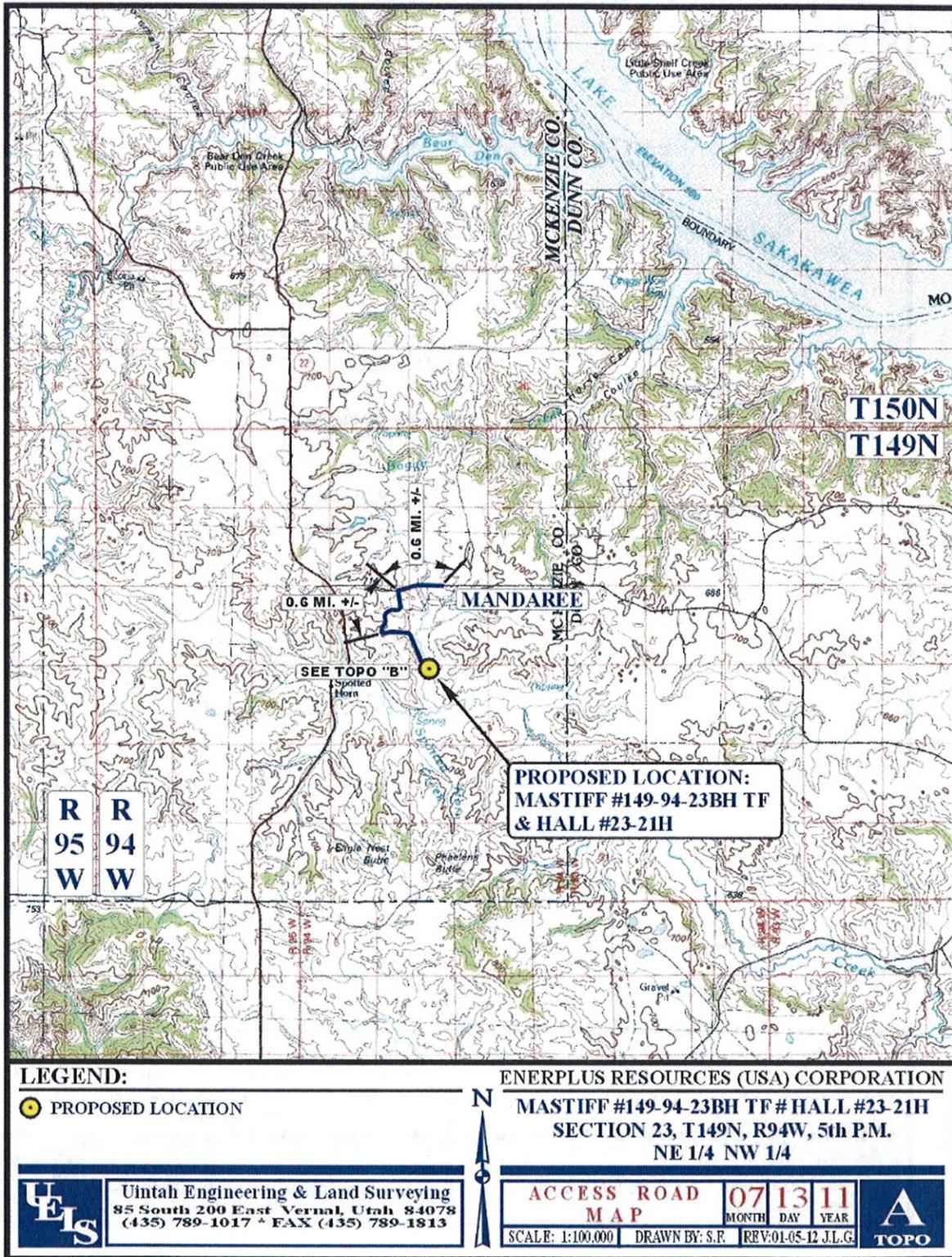
ROAD RIGHT-OF-WAY DESCRIPTION
 A 66' WIDE RIGHT-OF-WAY 33' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.
 BEGINNING AT A POINT IN THE SW 1/4 SW 1/4 OF SECTION 14, T149N, R94W, 5th P.M. WHICH BEARS 81°27'25" E 921.81' FROM THE SOUTHWEST CORNER OF SAID SECTION 14, T149N, R94W, 5th P.M. TO A POINT ON SAID SECTION 14, T149N, R94W, 5th P.M. WHICH BEARS S89°32'29"E 959.26' FROM THE SOUTHWEST CORNER OF SAID SECTION 14, T149N, R94W, 5th P.M. TO A POINT IN THE SW 1/4 SW 1/4 OF SECTION 14, T149N, R94W, 5th P.M. WHICH BEARS S89°32'29"E 381.63' ALONG THE SOUTH SECTION LINE OF SAID SECTION 14 TO A POINT WHICH BEARS N88°32'29" W 1315.72' FROM THE SOUTH 1/4 CORNER OF SAID SECTION 14, T149N, R94W, 5th P.M. TO A POINT IN THE NW 1/4 NW 1/4 OF SECTION 23, T149N, R94W, 5th P.M. WHICH BEARS S89°31'03" W 1315.72' FROM THE NORTH 1/4 CORNER OF SAID SECTION 23, T149N, R94W, 5th P.M. DESCRIBED RIGHT-OF-WAY BEING SHORTENED OR ELONGATED TO MEET THE GRANTOR'S PROPERTY LINES. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 0.813 ACRES MORE OR LESS.

RIGHT-OF-WAY LENGTHS

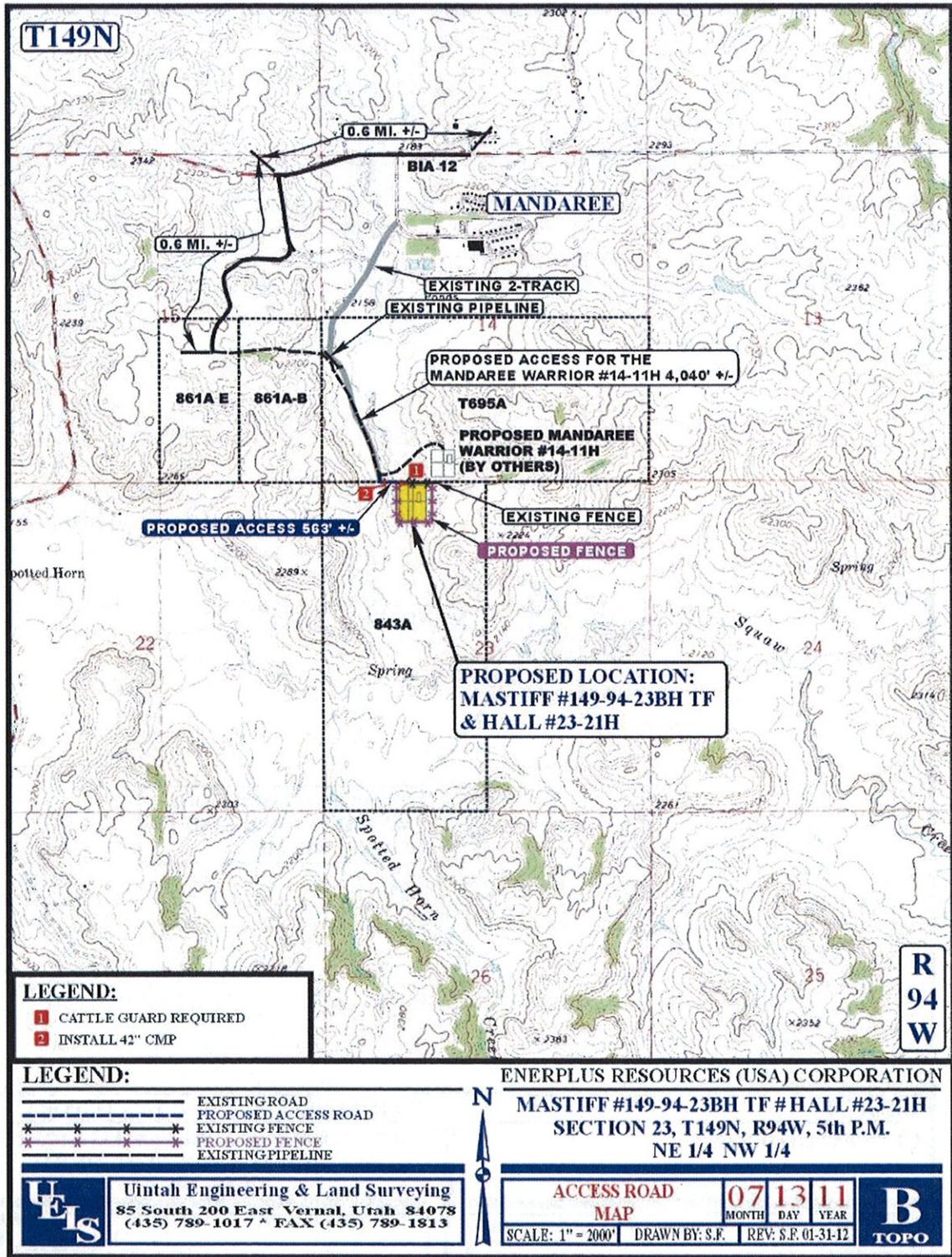
PROPERTY OWNER	FEET	ACRES	RODS
T695A	141.72	0.215	8.59
SPLIT T695A & 843A	381.63	0.577	23.13
843A	13.92	0.021	0.84
TOTAL	537.27	0.813	32.56

BEGINNING OF RIGHT-OF-WAY STA. 0+00 BEARS S11°5'40"E 141.72' FROM THE SOUTHWEST CORNER OF SECTION 14, T149N, R94W, 5th P.M.
 P.O.S.L. 5+23.35 BEARS N89°32'29" W 1315.72' FROM THE NORTH CORNER OF SECTION 14, T149N, R94W, 5th P.M.
 END OF ROAD STA. 5+37.27 BEARS S89°31'03" W 1315.72' FROM THE NORTH CORNER OF SECTION 23, T149N, R94W, 5th P.M.

Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



LEGEND:
 1 CATTLE GUARD REQUIRED
 2 INSTALL 42" CMP

LEGEND:
 ——— EXISTING ROAD
 - - - - - PROPOSED ACCESS ROAD
 * * * * * EXISTING FENCE
 * * * * * PROPOSED FENCE
 - - - - - EXISTING PIPELINE

ENERPLUS RESOURCES (USA) CORPORATION
 MASTIFF #149-94-23BH TF # HALL #23-21H
 SECTION 23, T149N, R94W, 5th P.M.
 NE 1/4 NW 1/4

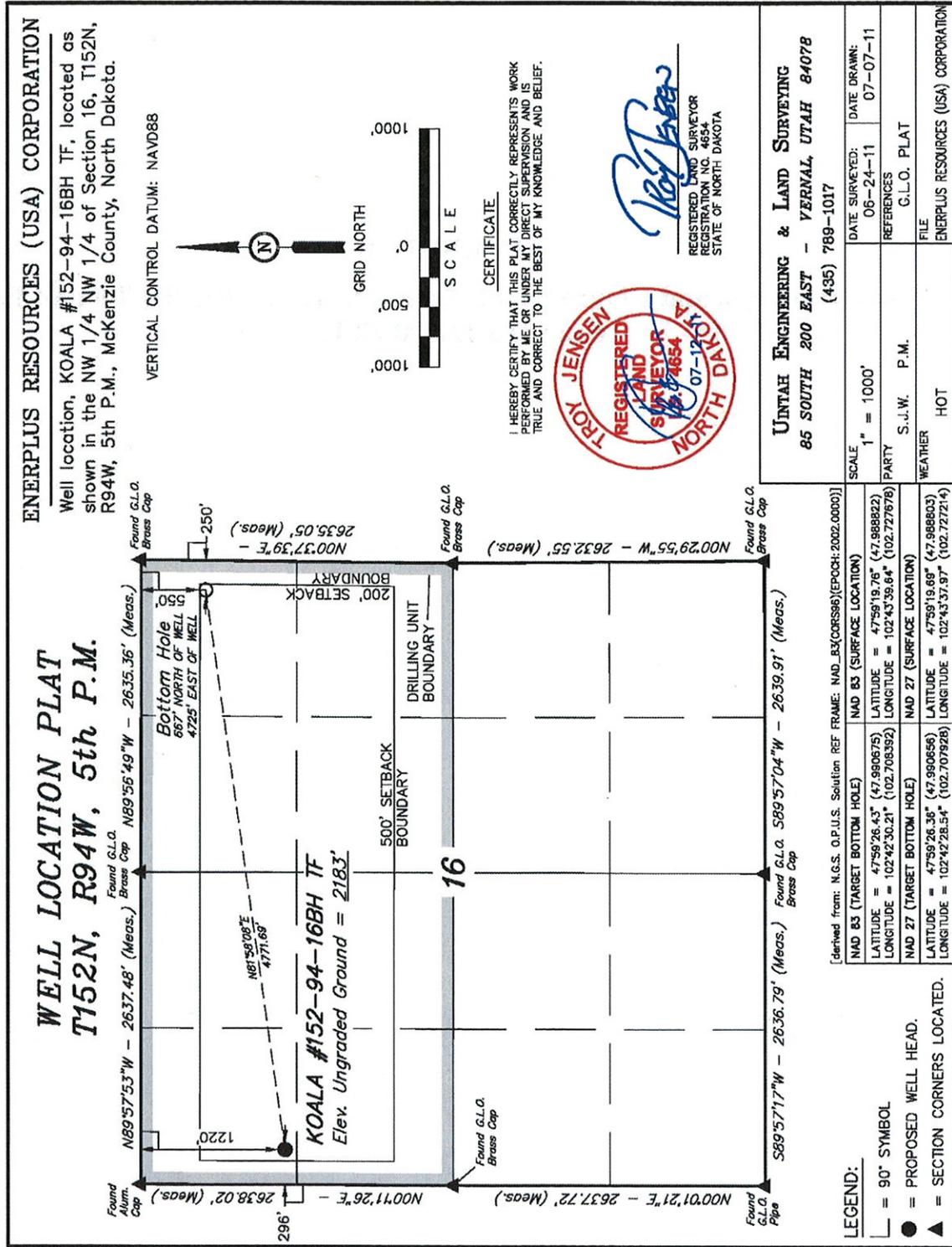
U&L S Uintah Engineering & Land Surveying
 85 South 200 East Vernal, Utah 84078
 (435) 789-1017 * FAX (435) 789-1813

ACCESS ROAD MAP
 07 13 11
 MONTH DAY YEAR
 SCALE: 1" = 2000' DRAWN BY: S.F. REV: S.F. 01-31-12 **B TOPO**

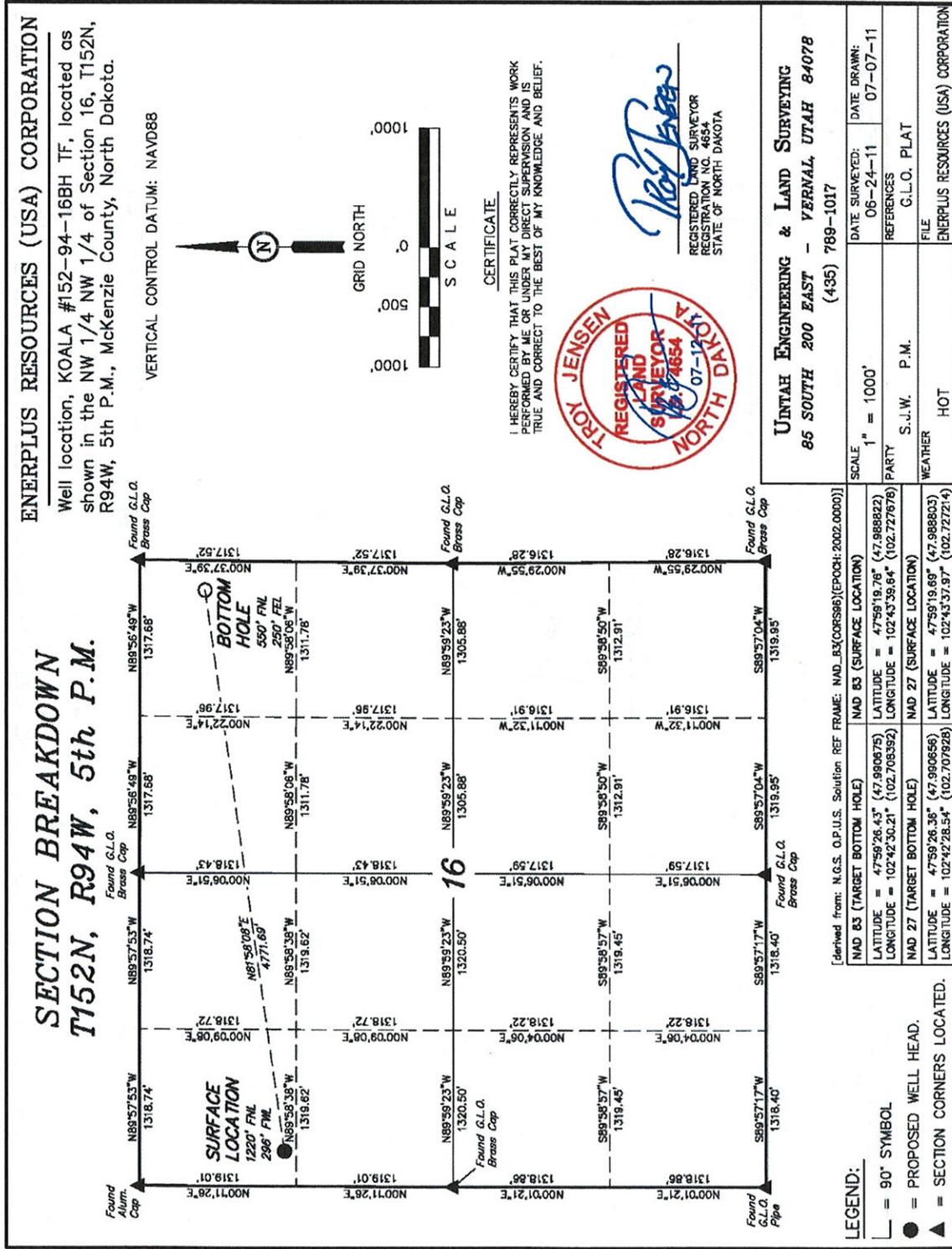
APPENDIX D

Plats, Drawings, and Diagrams for the Koala #152-94-16BH TF and Fool Bear #16-12H Well Pad

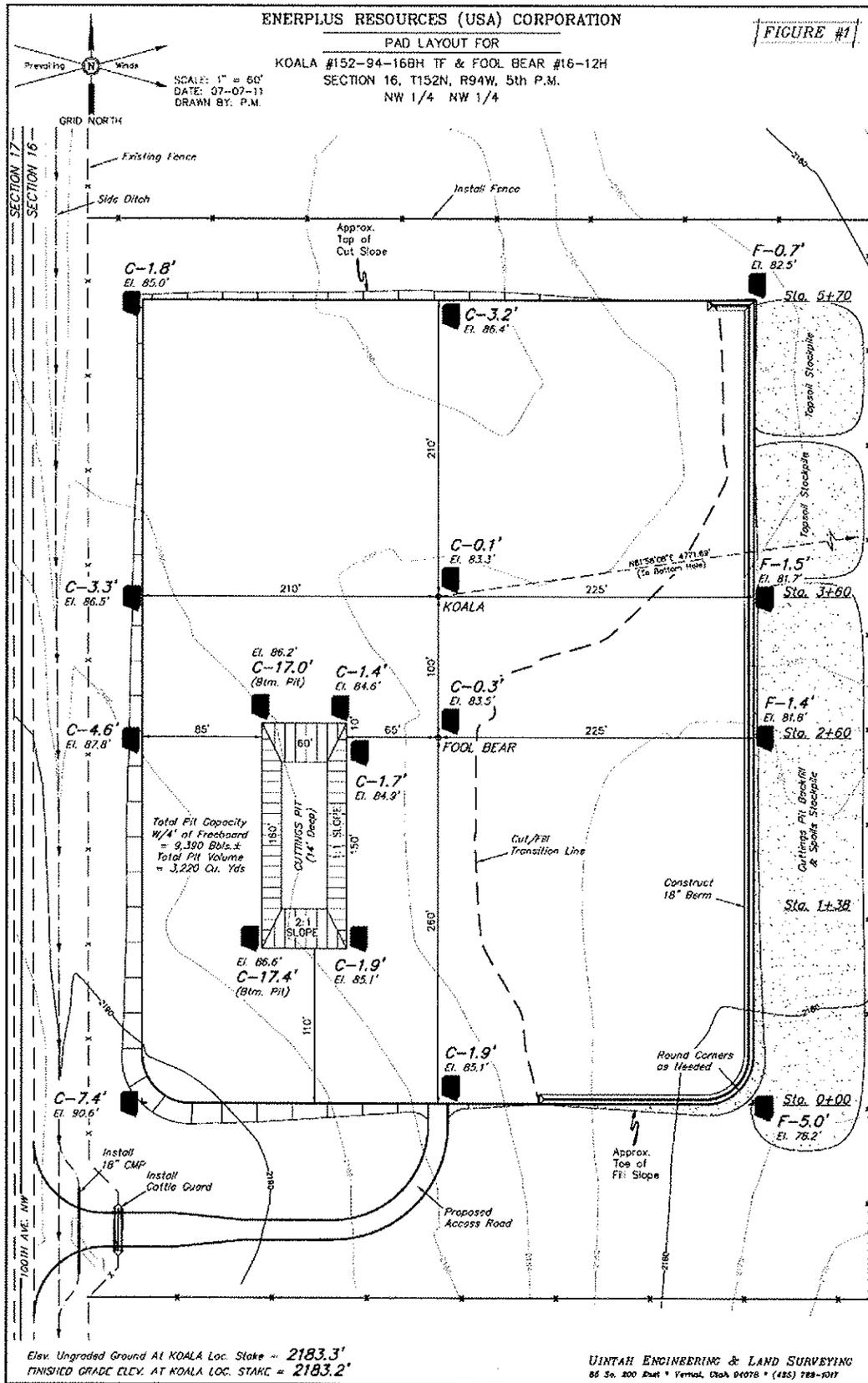
*Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road
Modification (February 2012)*



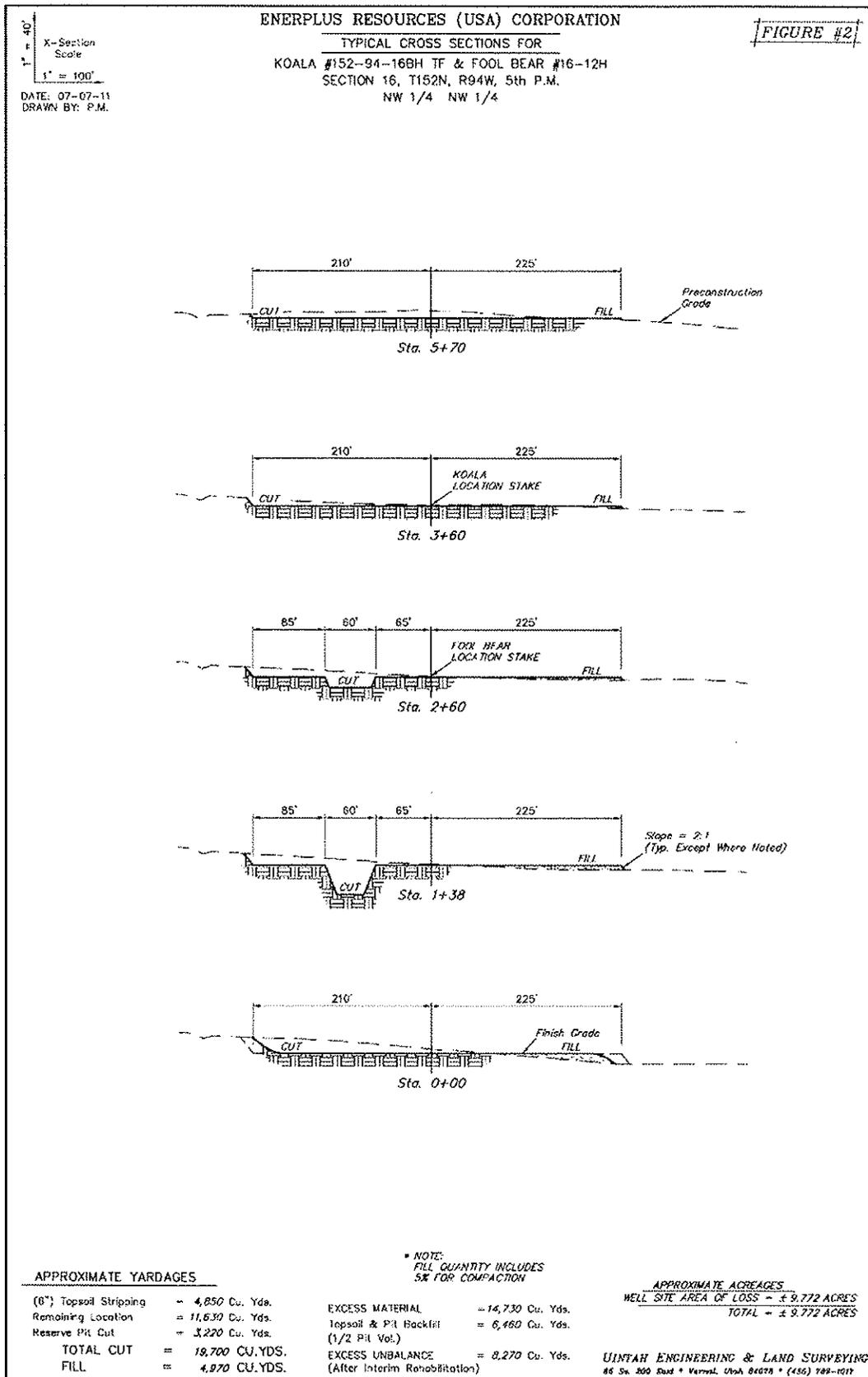
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



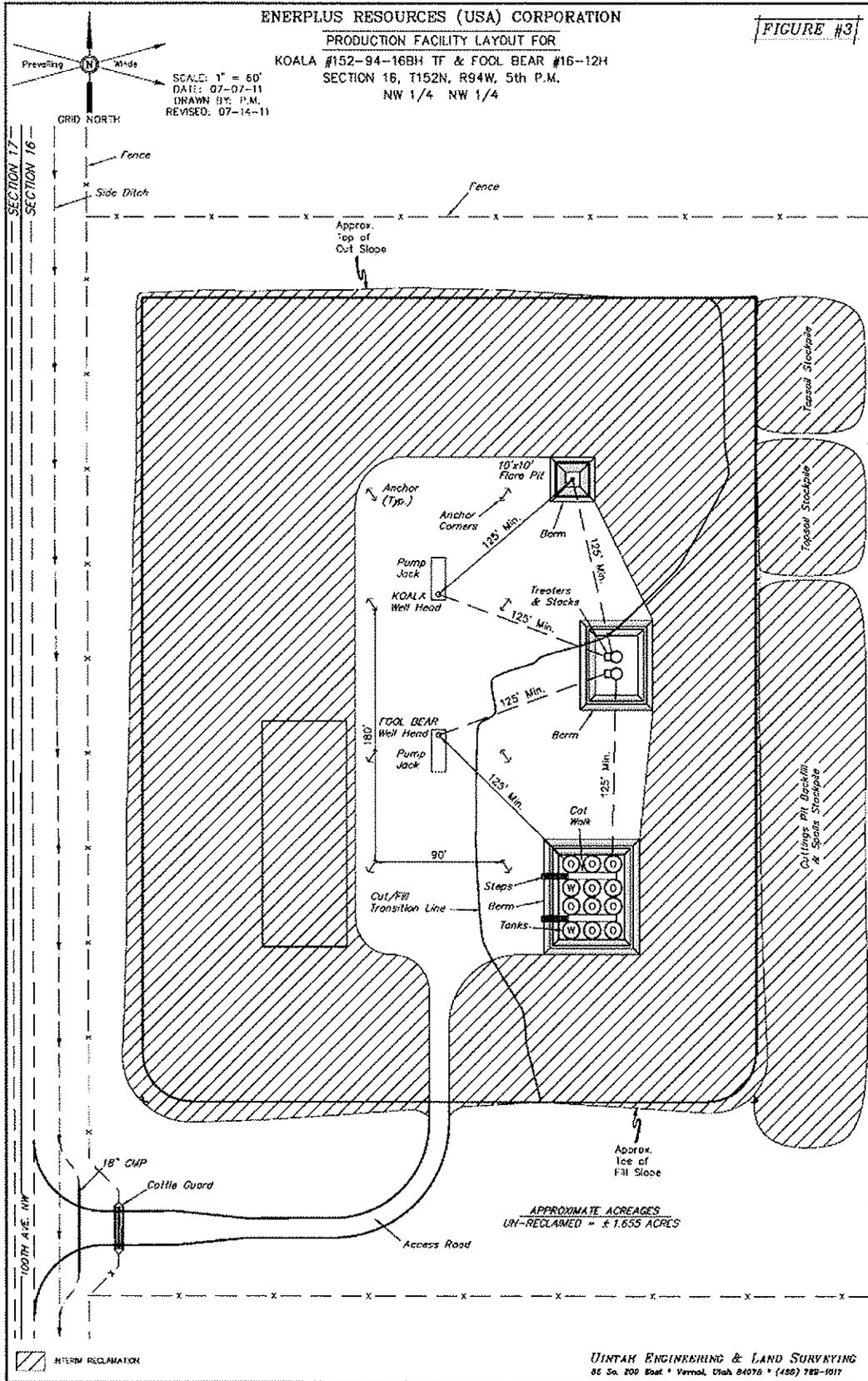
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)

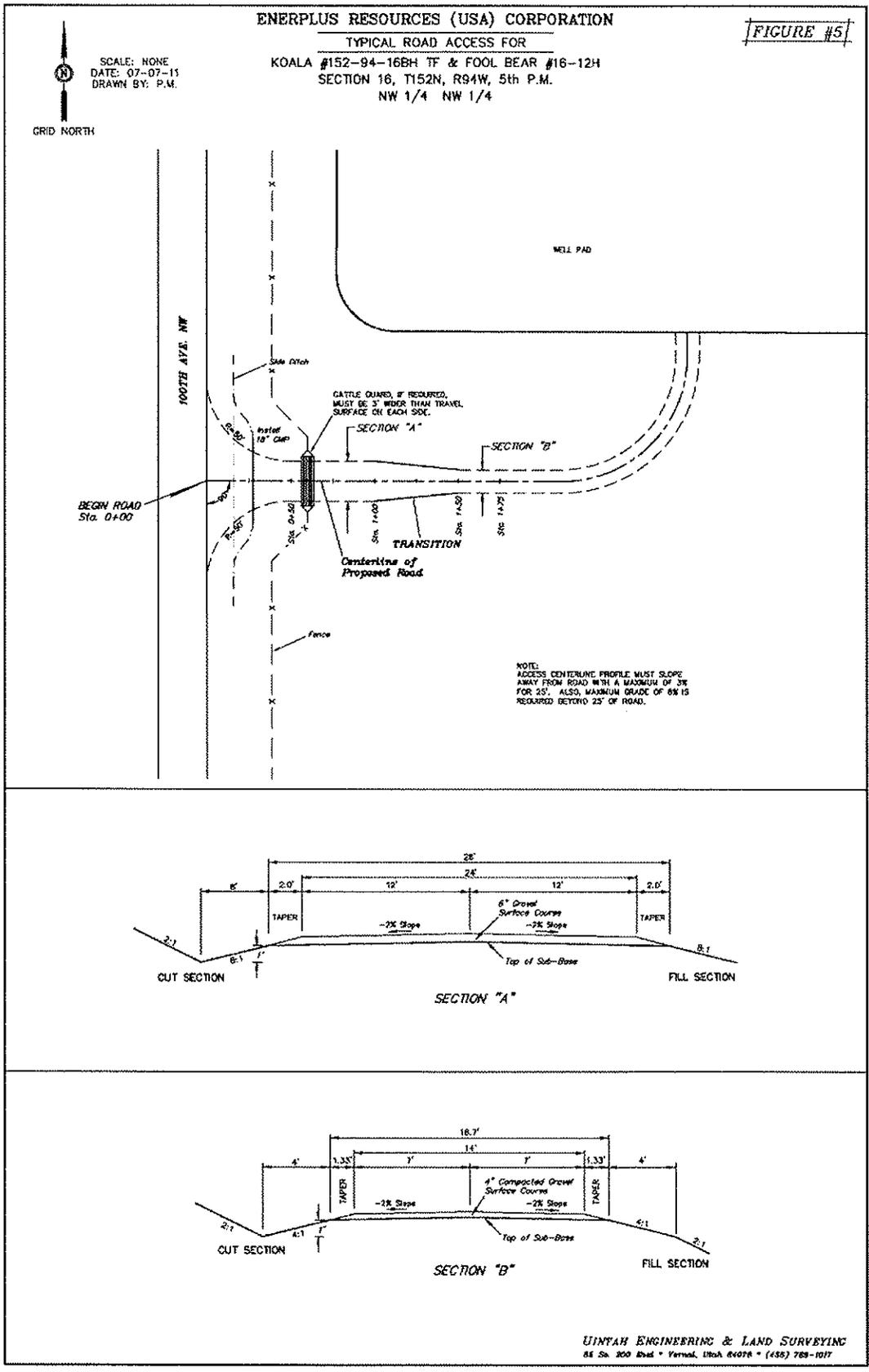


Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)

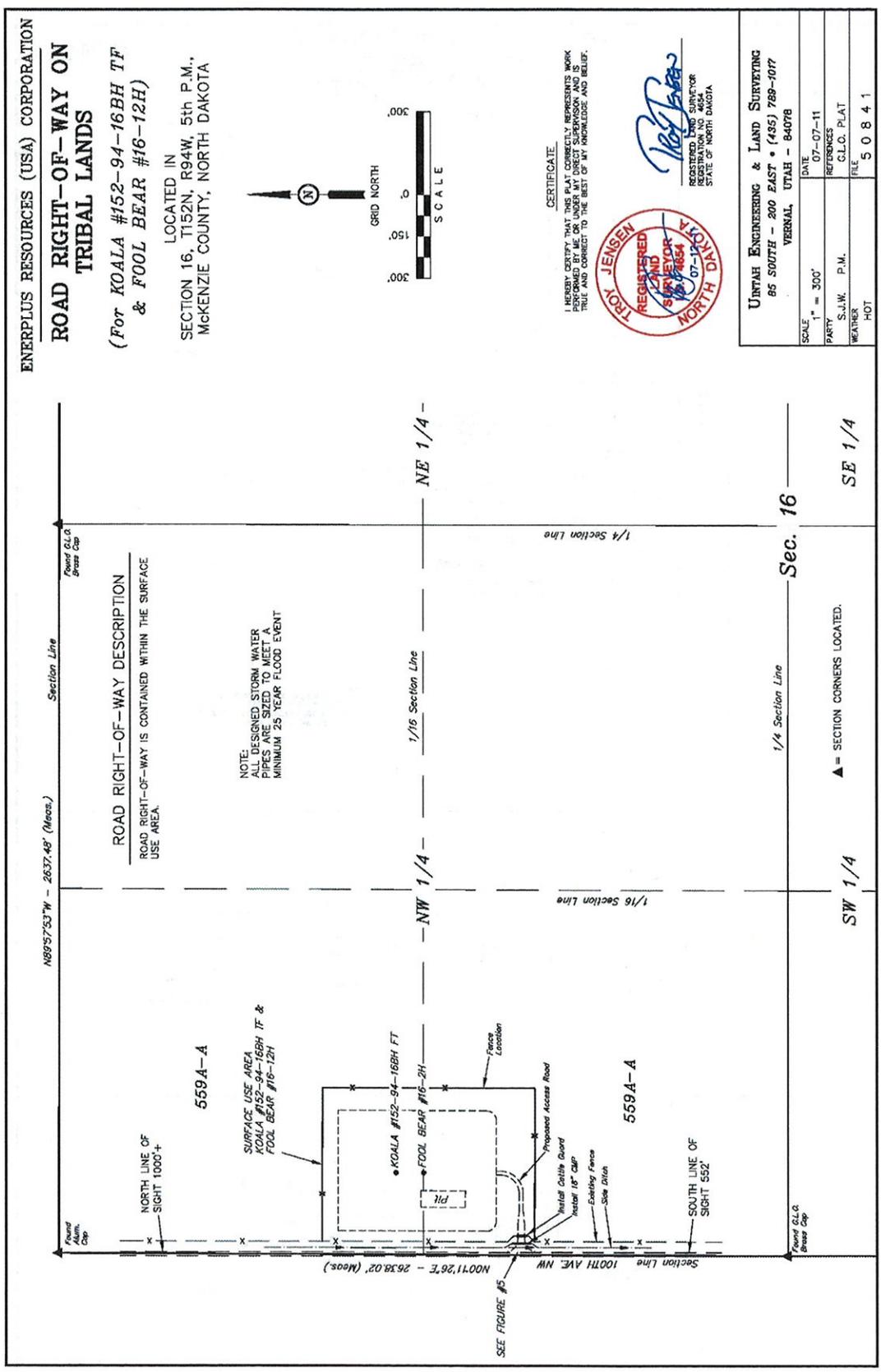


Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)

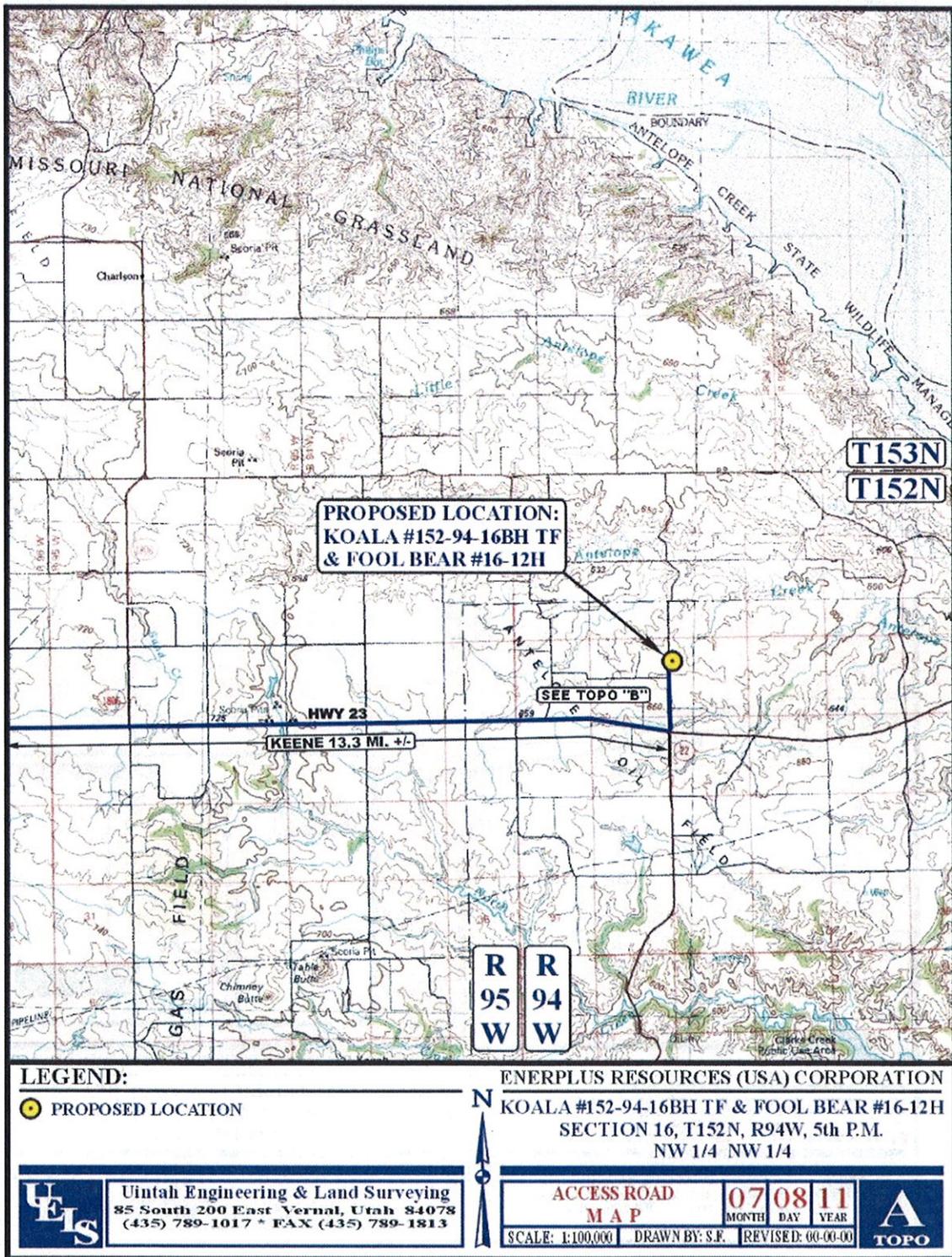




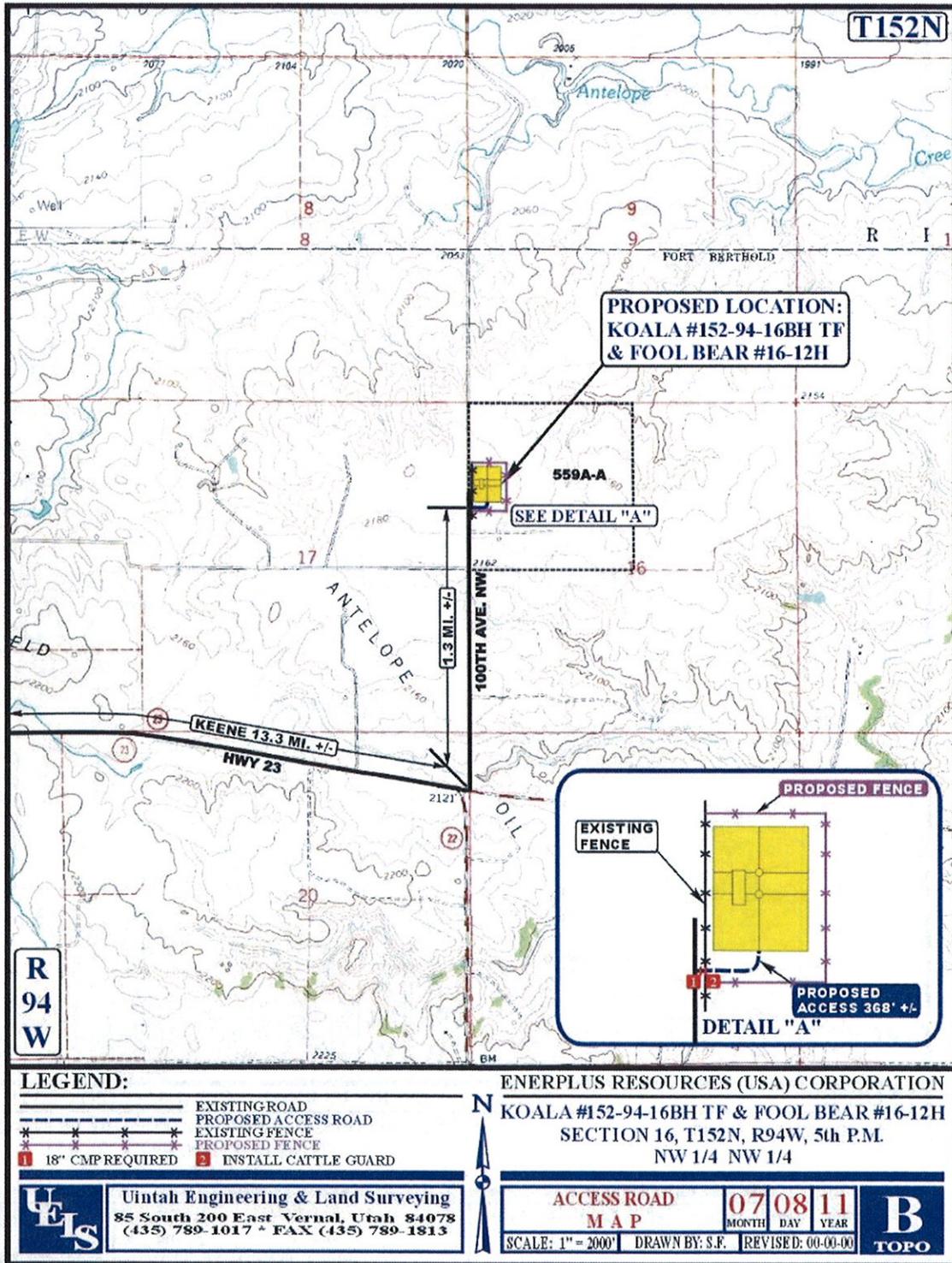
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



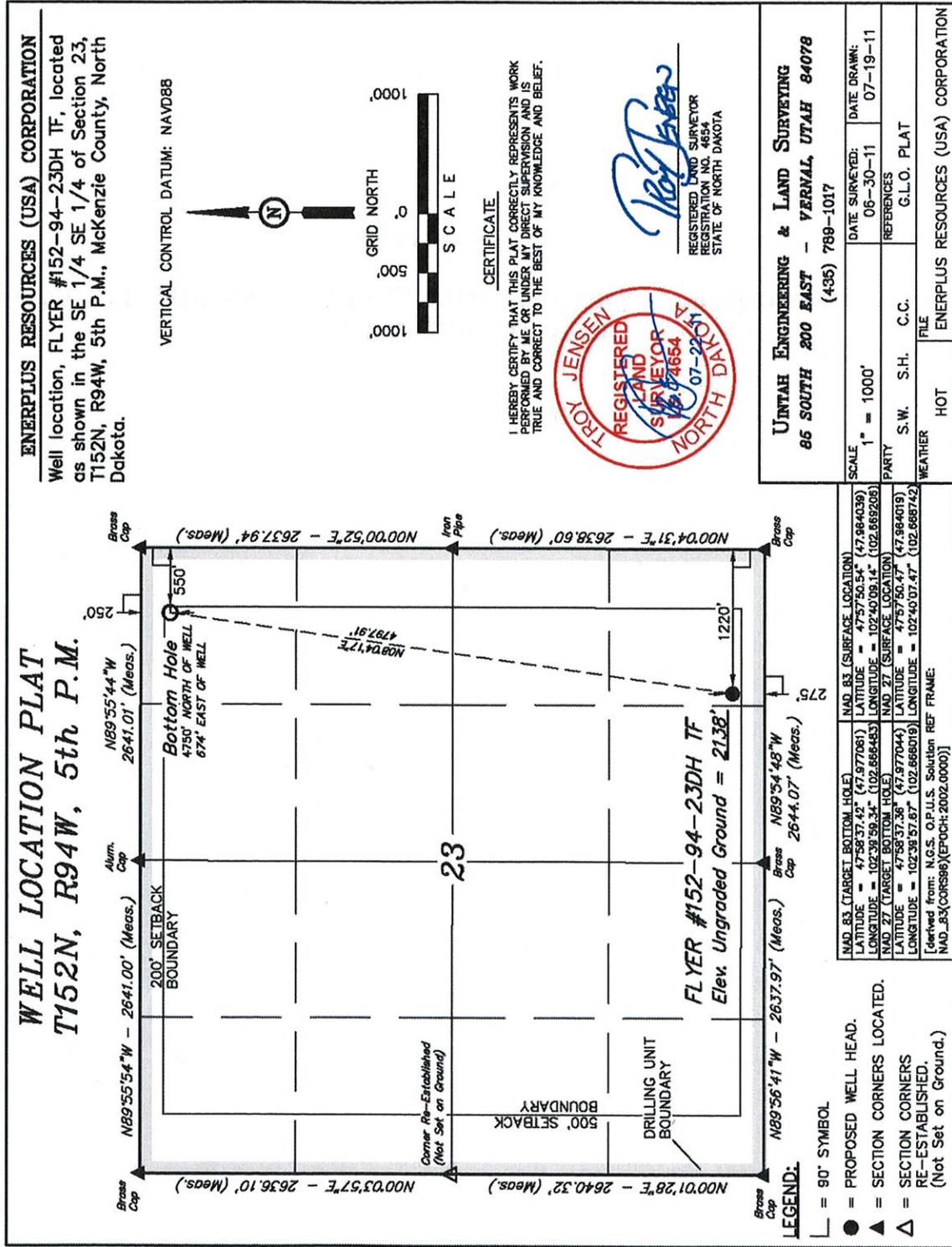
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



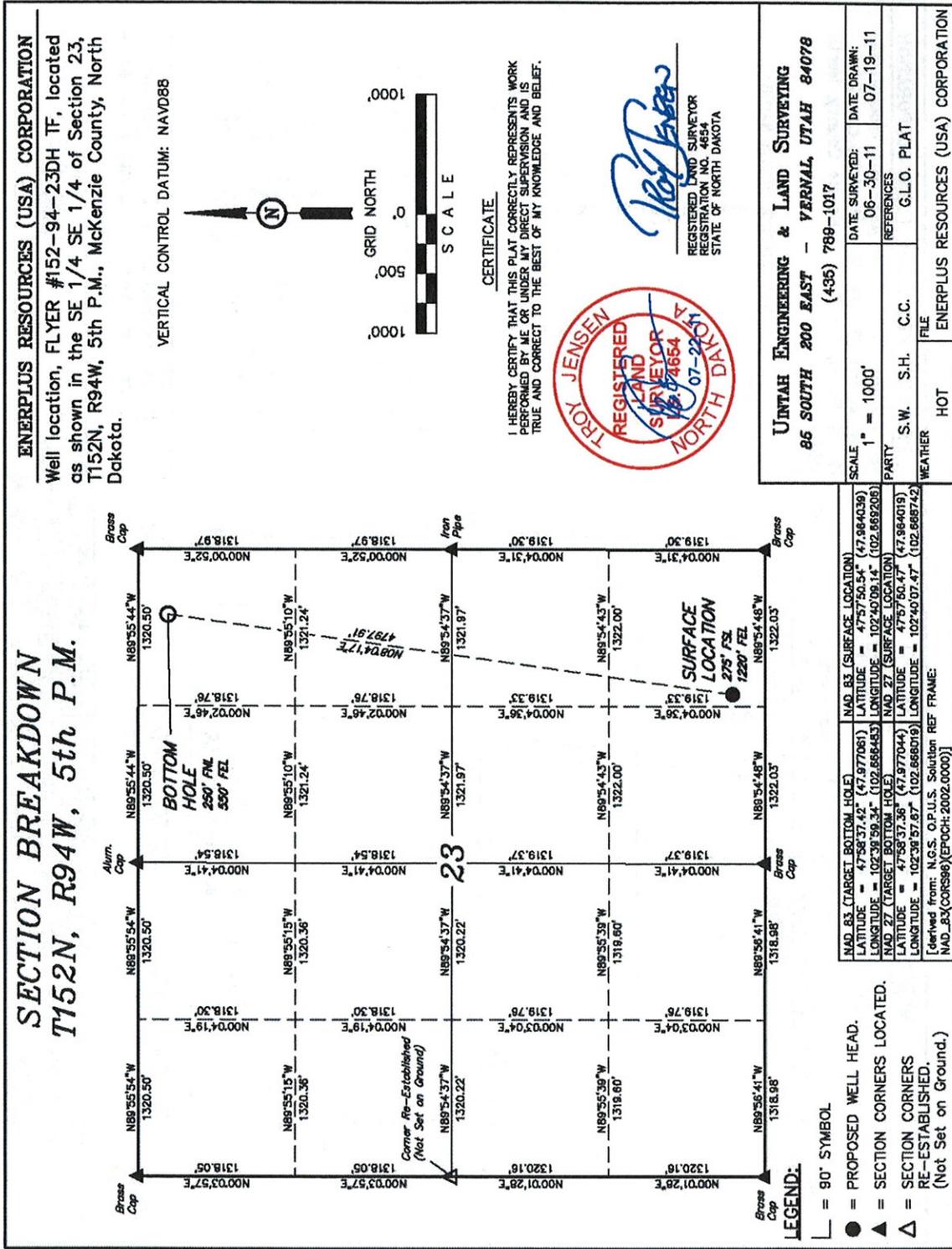
APPENDIX E

**Plats, Drawings, and Diagrams for the Flyer #152-94-23DH TF and Fool
Bear #23-34H Well Pad**

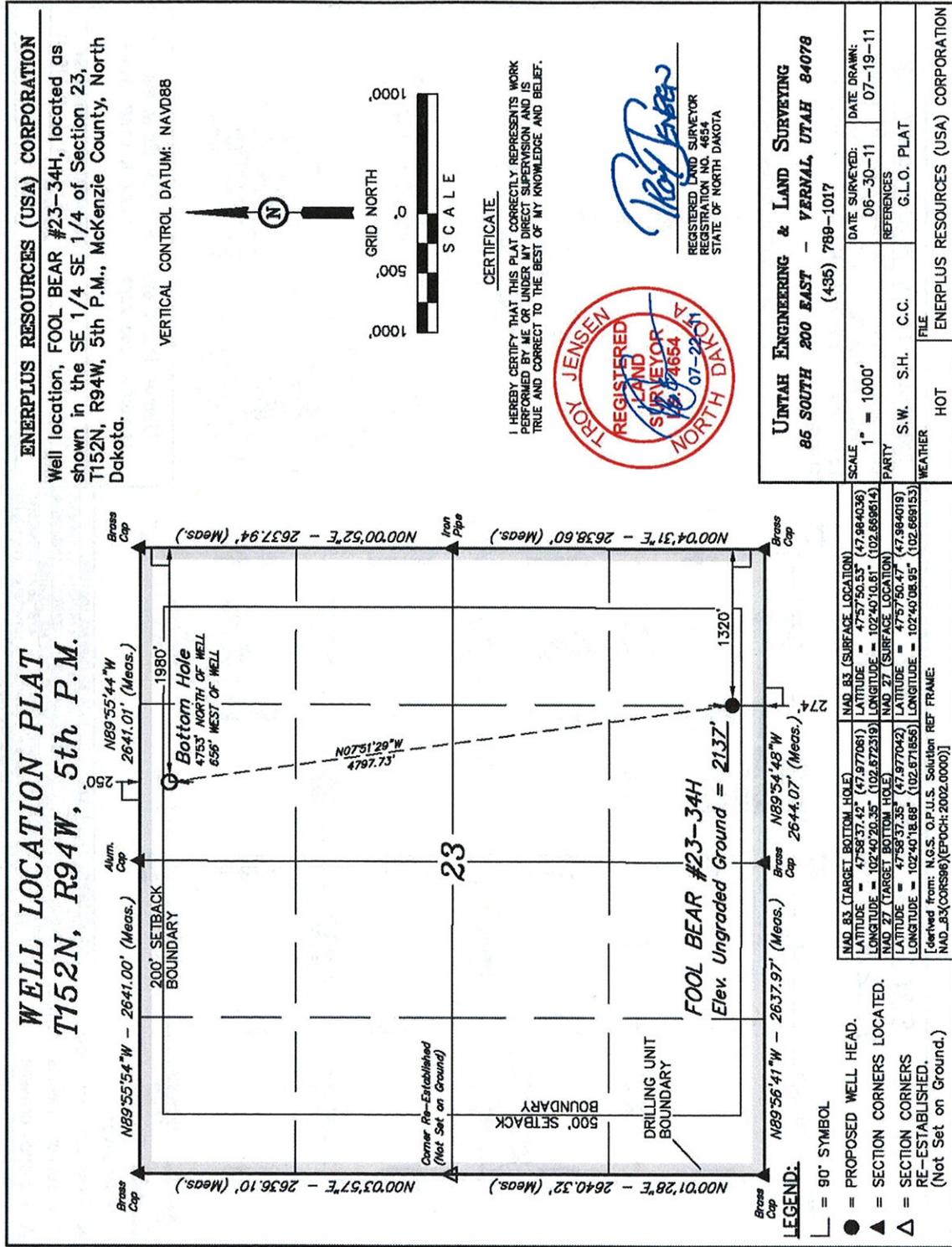
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road
Modification (February 2012)



Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road
Modification (February 2012)



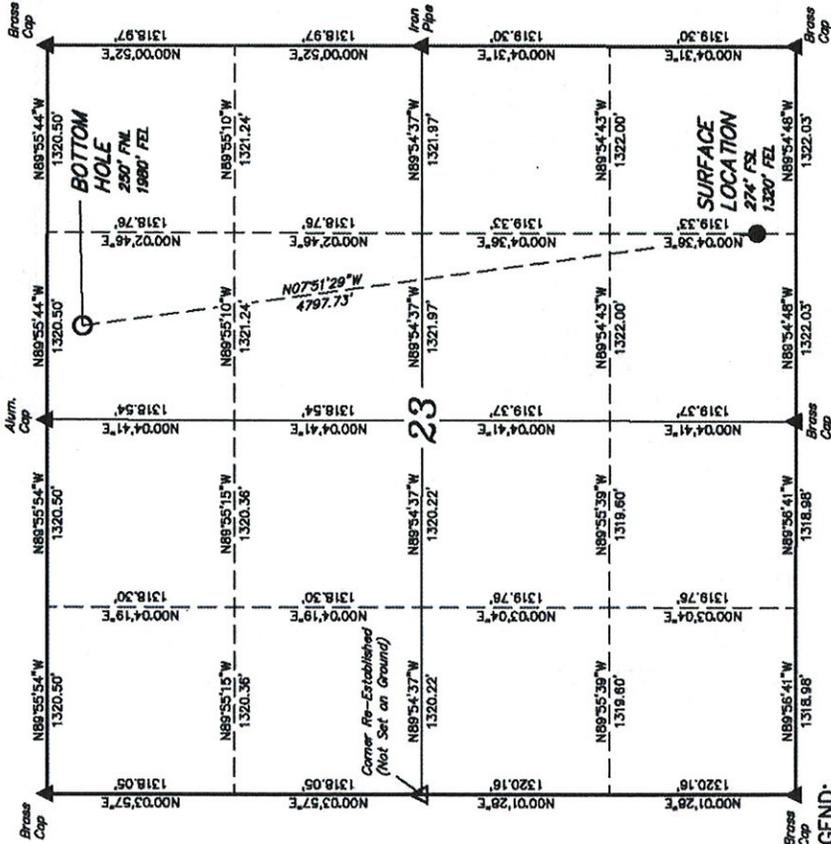
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road
Modification (February 2012)



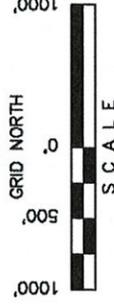
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)

SECTION BREAKDOWN T152N, R94W, 5th P.M.

ENERPLUS RESOURCES (USA) CORPORATION
Well location, FOOL BEAR #23-34H, located as shown in the SE 1/4 SE 1/4 of Section 23, T152N, R94W, 5th P.M., McKenzie County, North Dakota.



VERTICAL CONTROL DATUM: NAVD88



CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS WORK PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

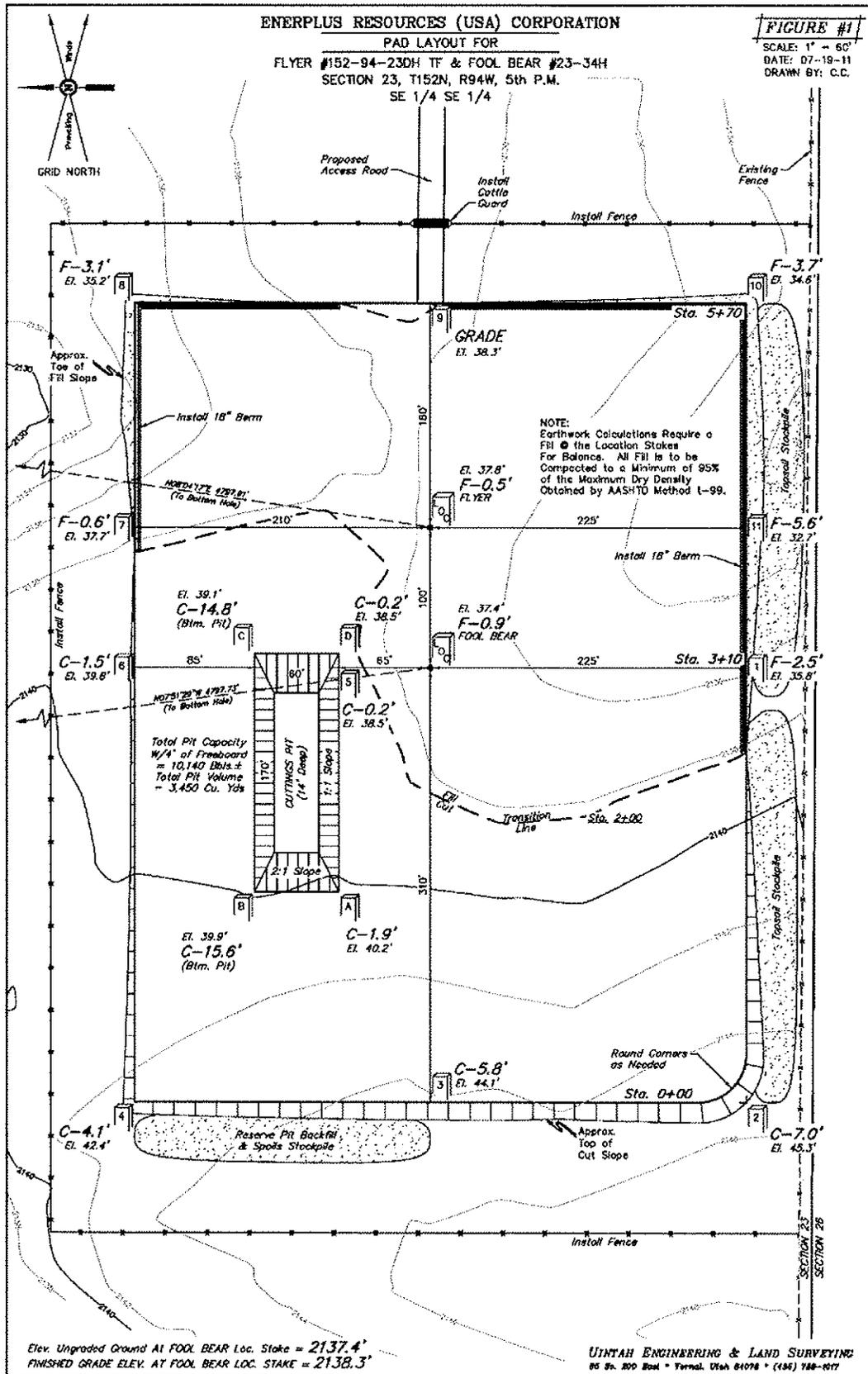


UNTAH ENGINEERING & LAND SURVEYING	
85 SOUTH 200 EAST - VERNAL, UTAH 84078	
(435) 789-1017	
SCALE	DATE SURVEYED:
1" = 1000'	06-30-11
PARTY	REFERENCES
S.W. S.H. C.C.	G.L.O. PLAT
WEATHER	FILE
HOT	ENERPLUS RESOURCES (USA) CORPORATION

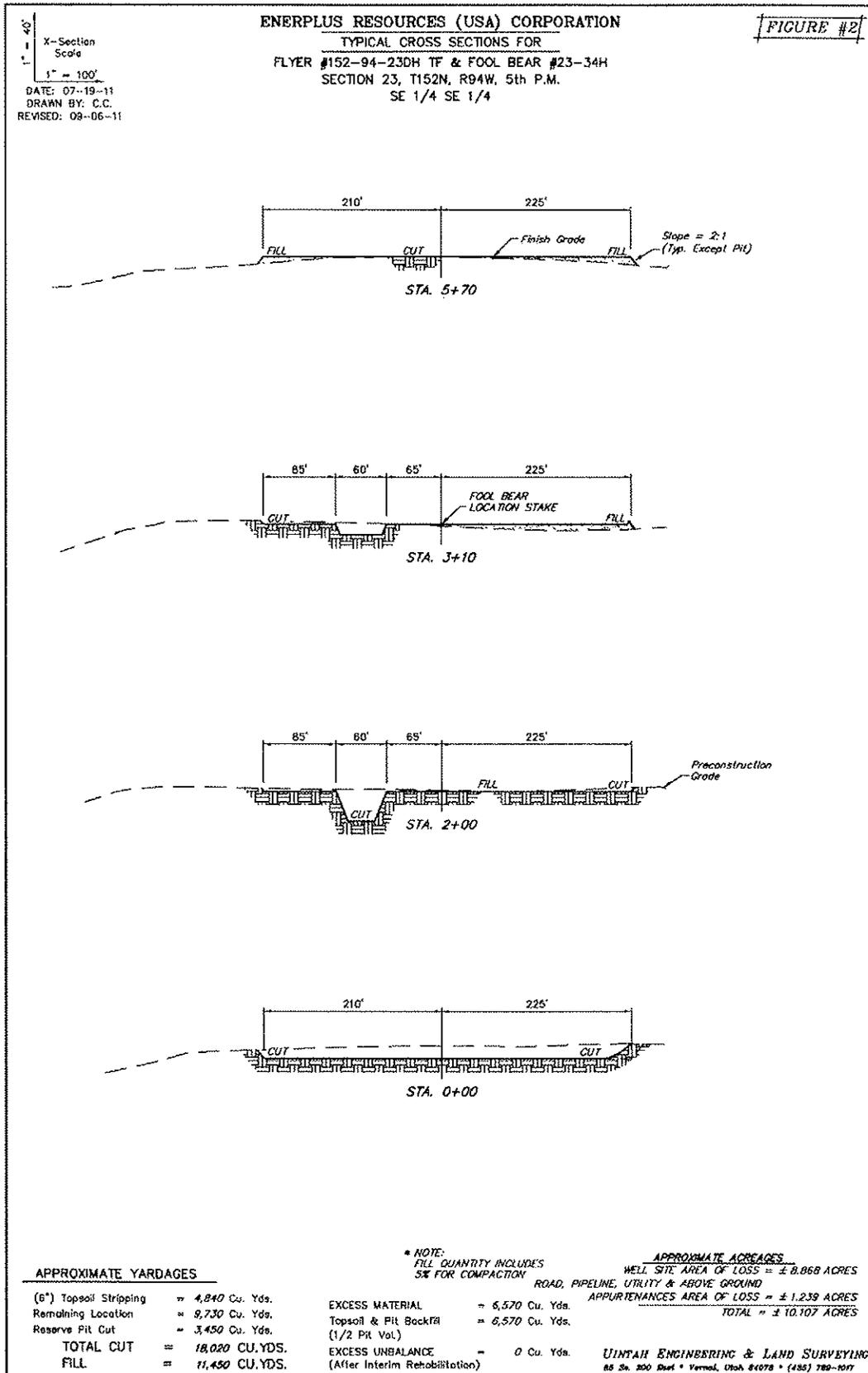
NAD 83 (TARGET BOTTOM HOLE)	NAD 83 (SURFACE LOCATION)
LATITUDE = 47°58'37.42" (47.977081)	LATITUDE = 47°57'50.53" (47.964036)
LONGITUDE = 102°40'20.35" (102.672319)	LONGITUDE = 102°40'10.81" (102.669815)
NAD 27 (TARGET BOTTOM HOLE)	NAD 27 (SURFACE LOCATION)
LATITUDE = 47°58'37.35" (47.977042)	LATITUDE = 47°57'50.47" (47.964019)
LONGITUDE = 102°40'18.68" (102.671856)	LONGITUDE = 102°40'08.95" (102.669153)
[derived from: N.G.S. O.P.U.S. Solution REF FRAME: NAD_83(CORS98)(EPOCH:2002.0000)]	

- LEGEND:**
- └ = 90° SYMBOL
 - = PROPOSED WELL HEAD.
 - ▲ = SECTION CORNERS LOCATED.
 - △ = SECTION CORNERS RE-ESTABLISHED. (Not Set on Ground.)

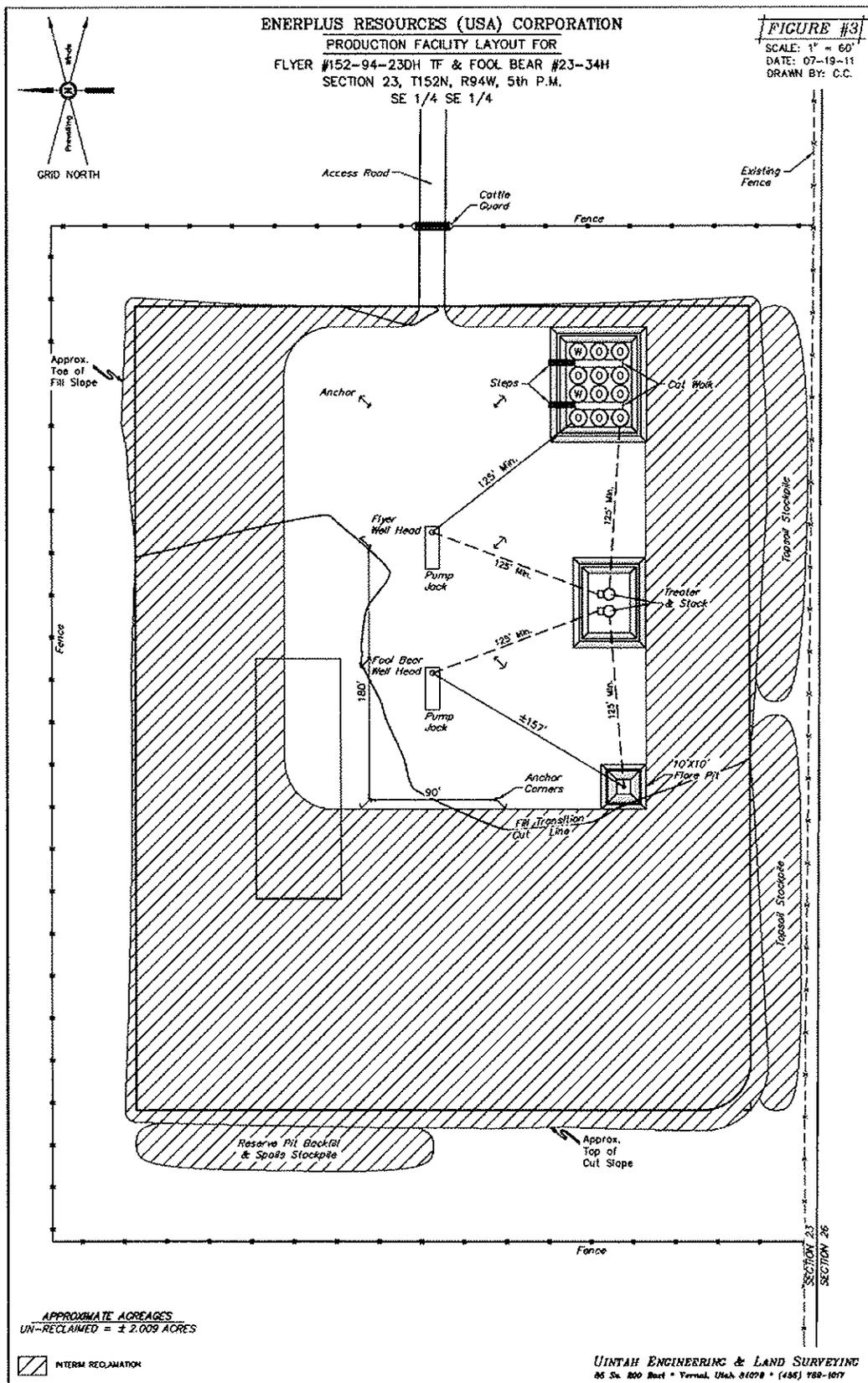
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)

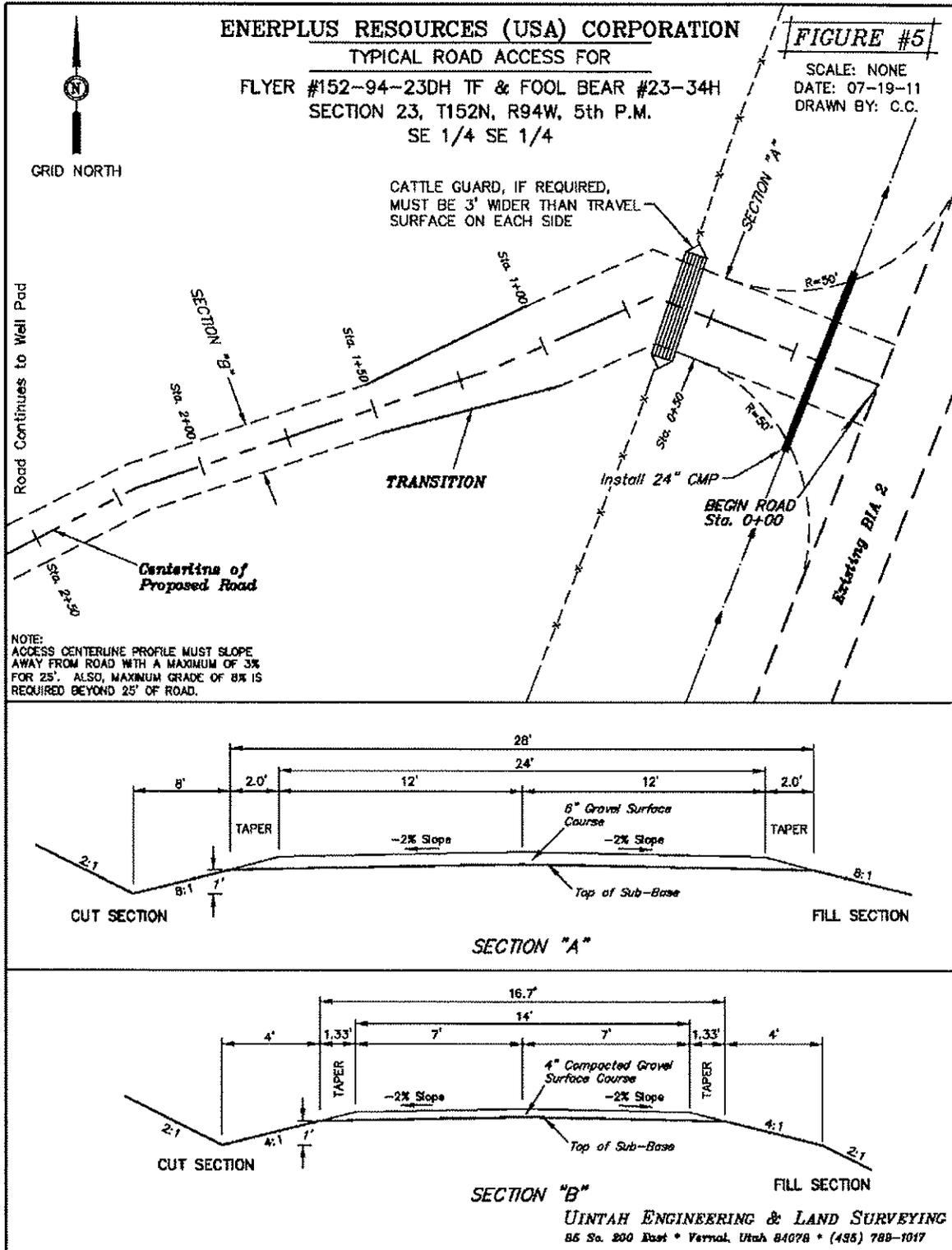


Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)

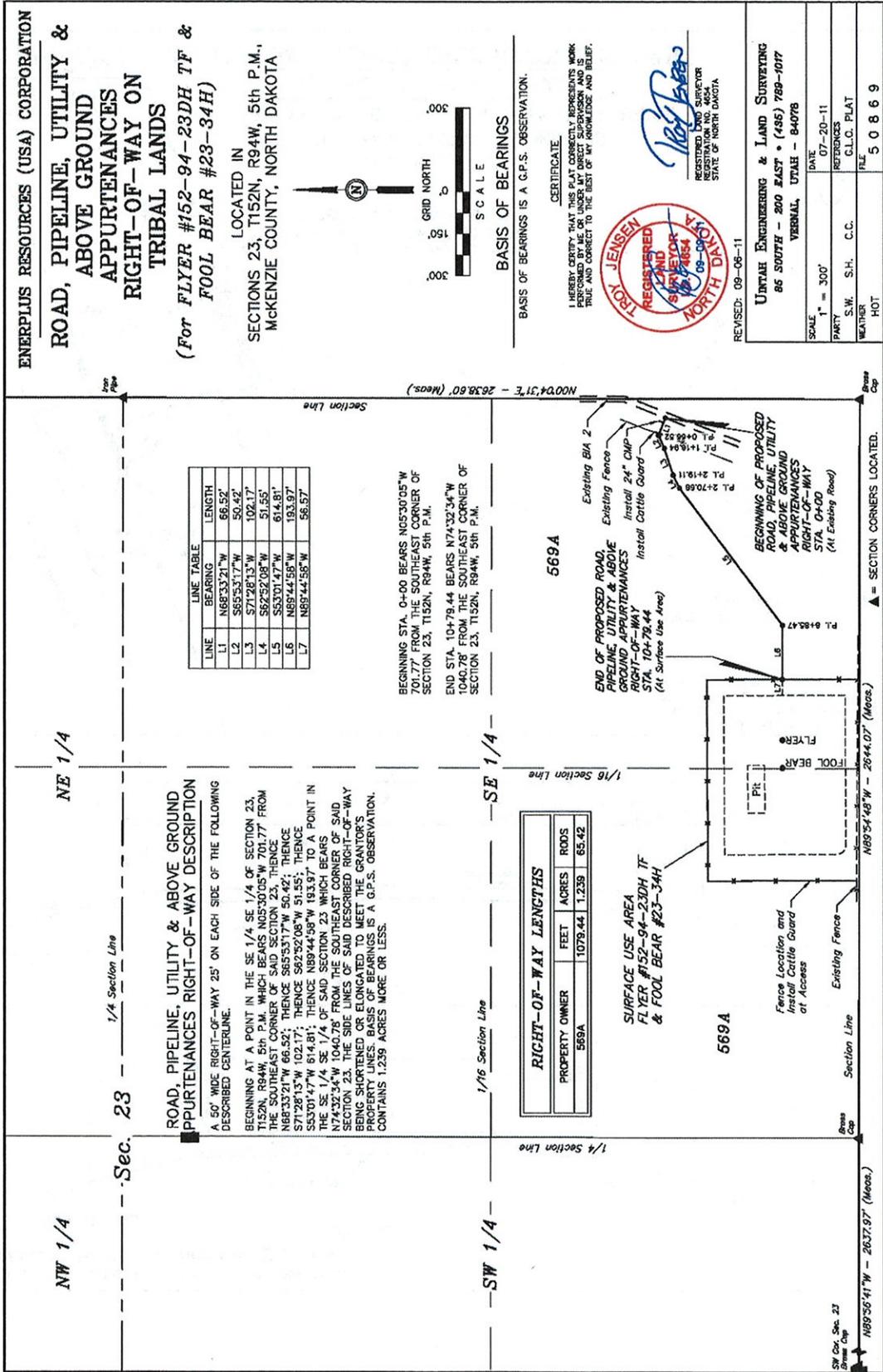


Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)





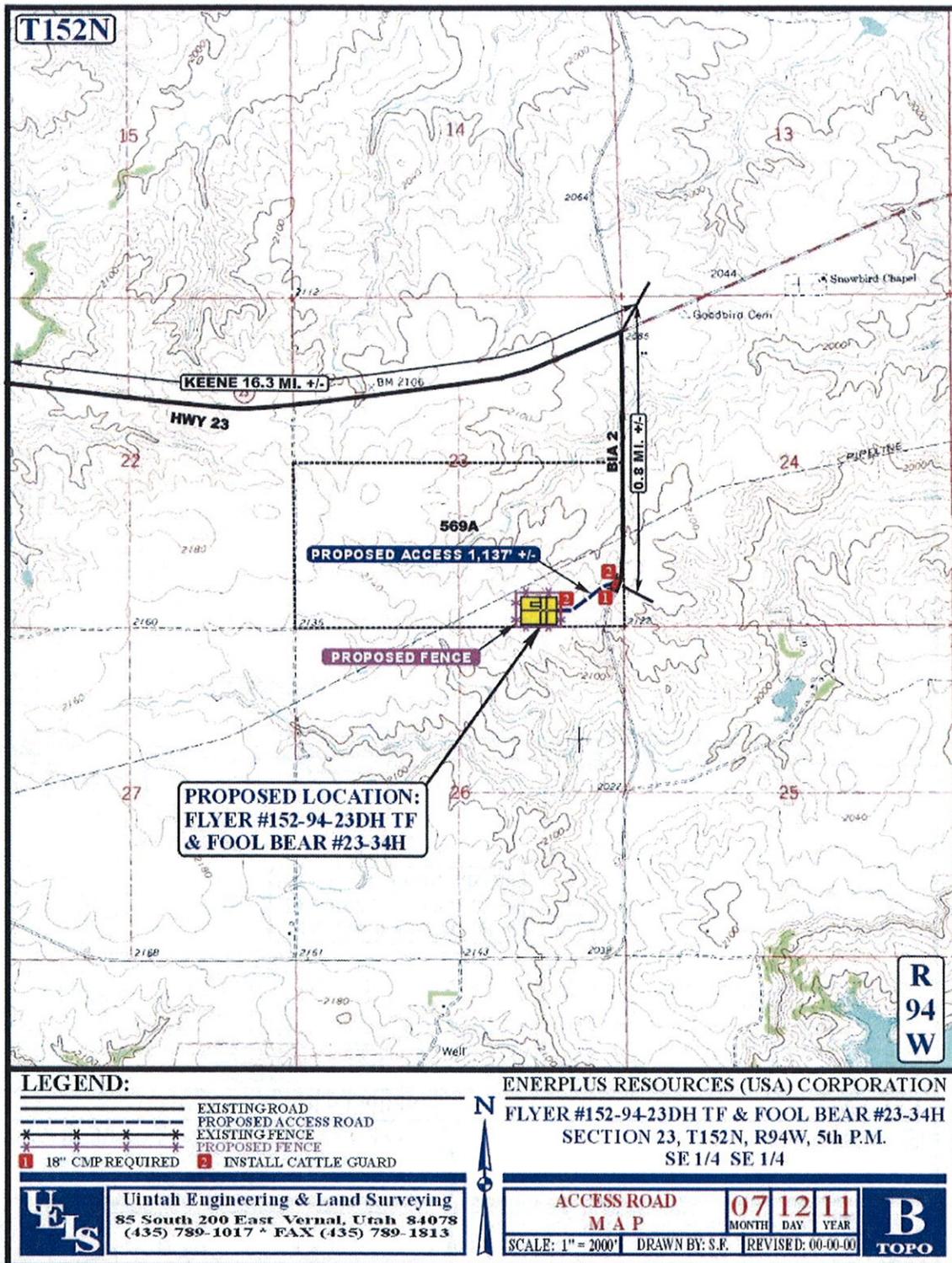
Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



Addendum to Environmental Assessment to Authorize an Additional Well on Five Previously Approved Well Pads and an Access Road Modification (February 2012)



Notice of Availability and Appeal Rights

Enerplus: Additional Well on Five Previously Approved Well Pads and an Access Road Modification

The Bureau of Indian Affairs (BIA) is planning to issue administrative approvals related to an Addendum to Authorize Land Use for an Additional Well on Five Previously Approved Well Pads and an Access Road Modification on the Fort Berthold Reservation as shown on the attached map. Construction by Enerplus Resources is expected to begin in 2012.

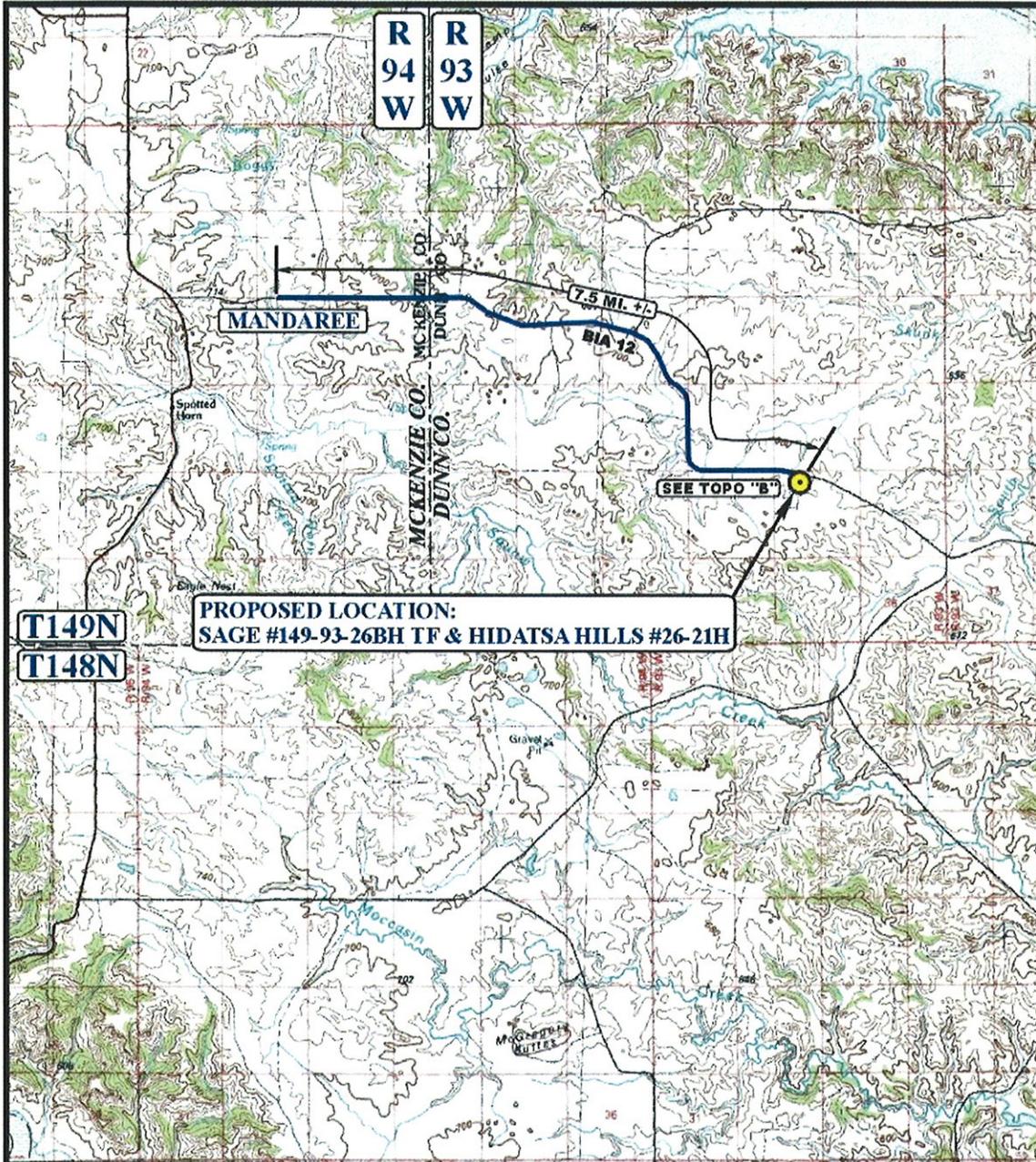
An environmental assessment (EA) determined that proposed activities will not cause significant impacts to the human environment. An environmental impact statement is not required. Contact Earl Silk, Superintendent at 701-627-4707 for more information and/or copies of the EA and the Finding of No Significant Impact (FONSI).

The FONSI is only a finding on environmental impacts – it is not a decision to proceed with an action and *cannot* be appealed. BIA's decision to proceed with administrative actions *can* be appealed until March 31, 2012, by contacting:

**United States Department of the Interior
Office of Hearings and Appeals
Interior Board of Indian Appeals
801 N. Quincy Street, Suite 300, Arlington, Va 22203.**

Procedural details are available from the BIA Fort Berthold Agency at 701-627-4707.

Project locations.



PROPOSED LOCATION:
SAGE #149-93-26BH TF & HIDATSA HILLS #26-21H

T149N
T148N

R 94 W
R 93 W

LEGEND:

PROPOSED LOCATION



ENERPLUS RESOURCES (USA) CORPORATION
SAGE #149-93-26BH TF & HIDATSA HILLS #26-21H
SECTION 26, T149N, R93W, 5th P.M.
NE 1/4 NW 1/4

U&LS **Utah Engineering & Land Surveying**
 85 South 200 East Vernal, Utah 84078
 (435) 789-1017 * FAX (435) 789-1813

ACCESS ROAD
M A P
 SCALE: 1:100,000 DRAWN BY: S.F. **06 30 11** MONTH DAY YEAR **TOPO**



LEGEND:

● PROPOSED LOCATION



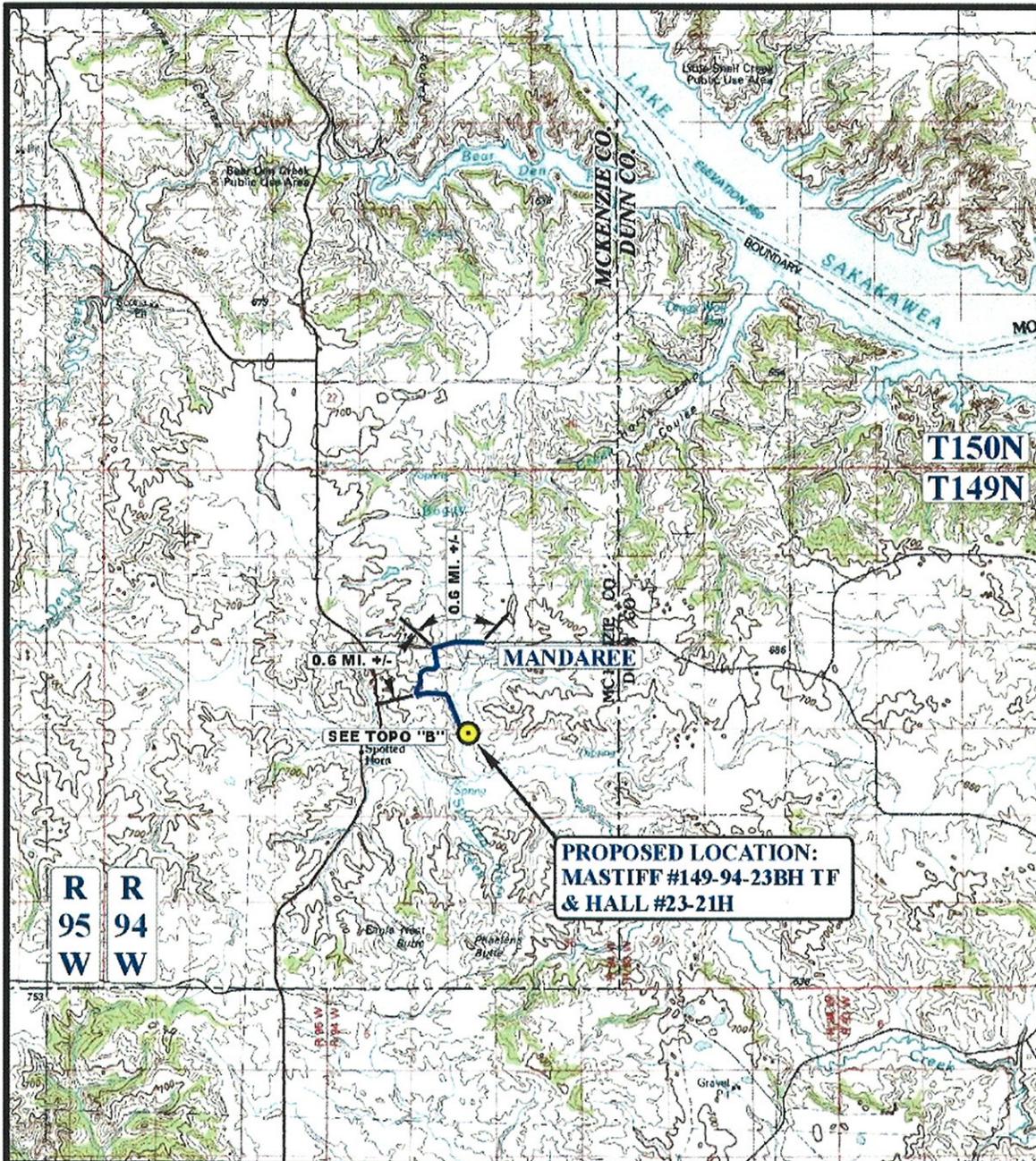
ENERPLUS RESOURCES (USA) CORPORATION

GARDENS #149-94-13BH TF & HUDSON #13-21H
SECTION 13, T149N, R94W, 5th P.M.
NE 1/4 NW 1/4



Utah Engineering & Land Surveying
85 South 200 East Vernal, Utah 84078
(435) 789-1017 * FAX (435) 789-1813

ACCESS ROAD MAP	06 MONTH	21 DAY	11 YEAR	A TOPO
SCALE: 1:100,000	DRAWN BY: S.F.	REVISED: 00-00-00		



LEGEND:

 PROPOSED LOCATION

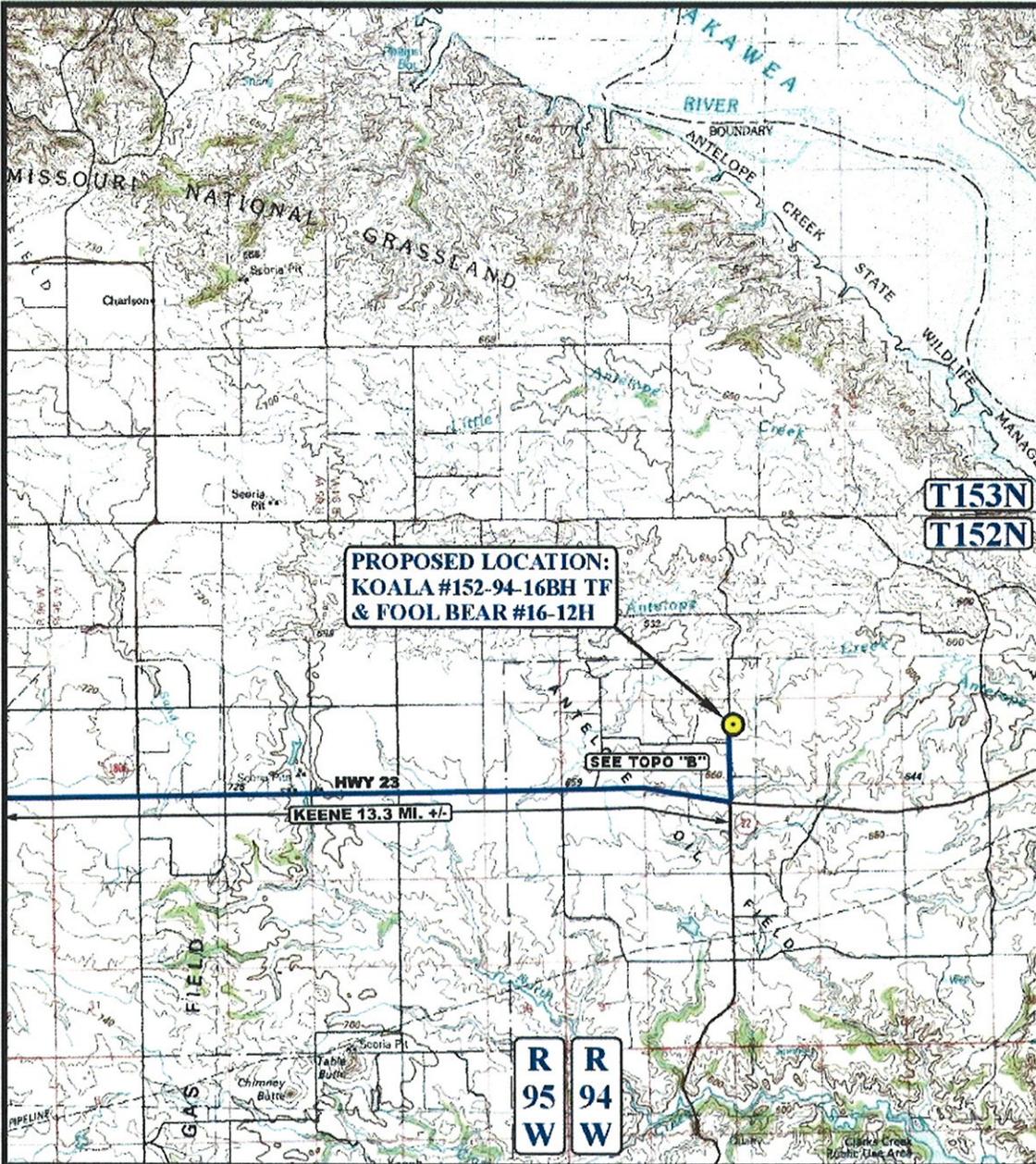
ENERPLUS RESOURCES (USA) CORPORATION

MASTIFF #149-94-23BH TF # HALL #23-21H
SECTION 23, T149N, R94W, 5th P.M.
NE 1/4 NW 1/4

	Uintah Engineering & Land Surveying 85 South 200 East Vernal, Utah 84078 (435) 789-1017 * FAX (435) 789-1813
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ACCESS ROAD MAP	07 13 11 MONTH DAY YEAR	
SCALE: 1:100,000 DRAWN BY: S.R. REV: 01-05-12 J.L.G.		



**PROPOSED LOCATION:
KOALA #152-94-16BH TF
& FOOL BEAR #16-12H**

SEE TOPO "B"

KEENE 13.3 MI. +/-

R 95 W
R 94 W

LEGEND:

PROPOSED LOCATION



ENERPLUS RESOURCES (USA) CORPORATION

KOALA #152-94-16BH TF & FOOL BEAR #16-12H
SECTION 16, T152N, R94W, 5th P.M.
NW 1/4 NW 1/4

U E L S
Uintah Engineering & Land Surveying
85 South 200 East Vernal, Utah 84078
(435) 789-1017 * FAX (435) 789-1813

ACCESS ROAD
M A P
SCALE: 1:100,000 DRAWN BY: S.F. REVISED: 00-00-00

07 08 11
MONTH DAY YEAR

A
TOPO



LEGEND:

● PROPOSED LOCATION



ENERPLUS RESOURCES (USA) CORPORATION

FLYER #152-94-23DH TF & FOOL BEAR #23-34H

SECTION 23, T152N, R94W, 5th P.M.

SE 1/4 SE 1/4

UES
 Uintah Engineering & Land Surveying
 85 South 200 East Vernal, Utah 84078
 (435) 789-1017 * FAX (435) 789-1813

ACCESS ROAD
MAP
 SCALE: 1:100,000 DRAWN BY: S.F. REVISED: 00-00-00

07 12 11
 MONTH DAY YEAR
A
TOPO

